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SENATE

S.B. No. 3135

Introduced by Senator EDGARDO J. ANGARA

EXPLANATORY NOTE

The State recognizes the role of the youth in nation building. The State will, thus, endeavor to provide new graduates of higher learning with opportunities for growth and development by creating policies that protect their welfare, increase their chances of immediate employment, and readily provide employment benefits equal to those of regular employees.

As a bill of rights for new graduates, this bill aims to provide each new graduate with such opportunities. By providing various incentives to new graduates, the students are encouraged to stay in school, finish their respective courses of learning, whether it be a technical-vocational course, or a bachelor's degree, and look forward to a fruitful and meaningful life after school.

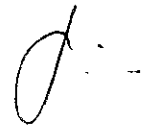
The bill also aims to assist each new graduate with employment and business opportunities. Through the passing of a law which requires technical and financial assistance in start-up businesses, as well as mandate job placement for new graduates, these new graduates are assured that their hard work in school will pay off with generous rewards.

Finally, the bill aims to recognize new graduates by awarding them with incentives, discounts and benefits for graduating from institutions of higher learning.

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

EDGARDO J. ANGARA

SENATE
Senate Bill No. 3135



Introduced by SENATOR EDGARDO J. ANGARA

AN ACT
PROVIDING INCENTIVES FOR NEW GRADUATES OF COLLEGES,
UNIVERSITIES AND ACCREDITED INSTITUTIONS OFFERING
TECHNICAL-VOCATIONAL COURSES, OTHERWISE KNOWN AS
THE "BILL OF RIGHTS FOR NEW GRADUATES"

*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 "**Bill of**
2 **Rights for New Graduates.**"

3
4 **SEC. 2. Coverage.** This Bill of Rights shall apply to new graduates from
5 all colleges and universities, and from accredited institutions offering technical-
6 vocational courses. A new graduate is a Filipino who just finished a bachelor's
7 degree from any college or university, or completed a technical-vocational course
8 from any accredited institution in the Philippines. He shall be considered as such
9 for a period of one (1) year from the date of graduation or completion, as
10 evidenced by the date indicated on his diploma or certificate.

11
12 **SEC. 3. Declaration of Policy.** The State recognizes the role of the youth
13 in nation-building. As such, it shall promote and protect their rights, interests and
14 well-being. The State will, thus, endeavor to provide new graduates of higher
15 learning with opportunities for growth and development by creating policies that
16 protect their welfare.

17
18 **SEC. 4. New Graduate's Incentive Card.** Upon showing proof of
19 graduation, the Public Employment Service Office (PESO) of the Department of
20 Labor and Employment shall issue to the new graduate a "New Graduate's
21 Incentive Card," which shall be used to avail of all the privileges enumerated in
22 the succeeding provisions of this Act.

23

1 **SEC. 5. Basic Rights of New Graduates.** In consonance with the above-
2 stated policy, the State shall provide the necessary requirements, conditions and
3 opportunities to ensure proper adherence to the following basic rights of a new
4 graduate:

5

6 **5.1. Right to a good start.**

7

8 a) The State shall provide each new graduate with health, housing
9 and social security benefits upon graduation. Thus, a new graduate shall
10 be allowed to enroll himself as a sponsored member of the Philippine
11 Health Insurance Corporation, Pag-ibig and Social Security System . As
12 such, he d shall be exempted from paying monthly contributions that fall
13 within one (1) year of the graduate's date of graduation.

14 1) Every new graduate who is a sponsored member of the
15 Social Security System under this law may, within one year
16 from the date of his graduation, avail of a salary loan
17 equivalent to one (1) month's salary upon presentation of
18 proof of employment.

19 2) Every new graduate who is a sponsored member of the
20 Philippine Health Insurance Corporation under this law
21 may, within one year from the date of his graduation, avail
22 of the same benefits of an individually paying member to
23 cover the graduate's health and medical needs.

24 3) Every new graduate who is a a sponsored member of the
25 Pag-Ibig Fund under this law may, within one year from
26 the date of his graduation, avail of a home loan upon (1)
27 complete advanced payment of two years' voluntary
28 contribution, and (2) presentation of proof of employment.
29 The contribution payments for the first year shall be
30 advanced by the government.

31

32 b) A new graduate who is securing government-issued documents
33 usually required in the course of his employment application shall likewise
34 be exempted from payment of fees and charges in connection with such
35 documents, provided it is secured within one (1) year from his date of
36 graduation. This includes, but is not limited to: (a) one copy of his birth
37 certificate from the National Statistics Office, (b) tax identification

1 number (TIN) from the Bureau of Internal Revenue (BIR), (c) clearance
2 from the National Bureau of Investigation (NBI), (d) passport from the
3 Department of Foreign Affairs (DFA), and (e) barangay clearance or
4 certificate of residency from the local government units.

5 This exemption from payment of fees and charges shall likewise
6 apply to a new graduate who will venture into business or self-
7 employment, in relation to securing business or self-employment permits
8 from the Department of Trade and Industry (DTI), the Securities and
9 Exchange Commission (SEC), the BIR, and the City or Municipal Hall.

10
11 c) The State shall establish new programs that provide funding
12 and technical support to business ventures of a new graduate, while
13 strenghtening existing programs. Awarding of such assistance to a new
14 graduate shall be based on the innovative features of a product or service,
15 and its business viability and economic contribution to the country:

16
17 1) Each new graduate who ventures into a technology-
18 based enterprise shall be able to avail of the programs under the
19 Department of Science and Technology's Technology Application
20 and Promotion Institute, including financial and technical
21 assistance in the areas of setting up and operation of pilot ventures
22 for micro, small and medium enterprises (MSMEs), upon
23 submission of a feasibility study. Any loan granted under this
24 program shall not be charged any interest.

25
26 2) Each new graduate who ventures into the production,
27 processing or manufacturing of products or commodities shall be
28 able to avail of the benefits under Republic Act 9178, or the
29 Barangay Micro Business Enterprises (BMBEs) Act of 2002,
30 including exemption from income tax and coverage of the
31 minimum wage law.

32 3) Each new Agriculture-related graduate who ventures into an
33 agribusiness enterprise shall be granted a loan not exceeding one hundred
34 thousand pesos (P100,000.00) upon submission of a feasibility study.
35 Provided that such funding is secured by a chattel mortgage of assets
36 acquired from the loan and that the said graduate does not possess a
37 negative credit information. He will be given priority in the granting of
38 loans by the Land Bank of the Philippines, Development Bank of the

1 Philippines, other government banks, rural and cooperative banks. To
2 promote agricultural development in the country and encourage youth
3 involvement in advancing agriculture-based enterprises, income derived
4 from such ventures shall be exempt from income tax payment.

5
6 d.) The State shall likewise provide each new graduate the
7 opportunity to participate in low-cost housing programs. Upon
8 presentation of proof of employment, each new graduate shall be eligible
9 to apply under the different programs of the National Housing Authority
10 (NHA), particularly Core Housing and Medium Rise Housing Programs.

11
12 ***5.2 Right to a choice of opportunities.***

13
14 a) To assist a new graduate in selecting and securing employment, all
15 government agencies that are mandated to generate employment
16 and protect workers' rights, such as DOLE, POEA, PESO and
17 other attached agencies, shall provide listings of job openings
18 within the country and abroad, on their websites and offices. To
19 effectively implement this, the said agencies shall closely
20 coordinate with private and public higher education institutions
21 (HEIs) to provide updated and relevant information on job
22 opportunities. The HEIs shall post in conspicuous places inside
23 their school campuses a listing of such job opportunities. The
24 DOLE, POEA, PESO and other attached agencies shall also
25 facilitate the scheduling of job interviews with prospective
26 employers.

27
28 b) To expand the employment opportunities of new graduates, those
29 belonging to the top 10% of their school/college shall (1) be
30 exempted from taking the Civil Service Eligibility Exam, should
31 they opt to join the government sector, or (2) be qualified to
32 undergo internship or on-the-job training in private institutions that
33 have registered with the PESO, should they choose to be employed
34 in the private sector.

35
36 c) Any allowance or wage received by new graduates from employers
37 who allow on-the-job-training or internship shall be an allowable
38 deduction from the employer's gross income.

1 **5.3 Right to a fair assessment.**
2

3 a) It shall be unlawful for any employer to discriminate against a new
4 graduate in the hiring process, as well as in the terms and
5 conditions of his employment, solely on the account of his lack of
6 work experience and perceived inability to perform tasks
7 satisfactorily. Hiring should be focused on his capability,
8 creativity, and potential contribution to the company and industry
9 based on his academic and extra-curricular records, as well as his
10 performance in a company's qualifying examinations and
11 interviews. Employers shall take into consideration the unique
12 perspective and fresh ideas that a new graduate will bring into the
13 company.

14
15 b) A new graduate shall have equal chance to promotion, as with
16 other employees of a company or institution, giving emphasis on
17 skills, merit and potential, and not merely on length of tenure.
18

19 c) A new graduate shall have the right to be informed of his career
20 path within the company he is employed in. Thus, the employer
21 must inform the new graduate upon hiring of its company policies
22 and plans for potential advancement and promotion of the new
23 graduate.
24

25 **5.4 Right to a truly supportive wage.**
26

27 a) The State shall ensure that a new graduate shall be properly
28 compensated based on his skills, workload and output. Payment of
29 a lesser compensation to a new graduate as against a more senior
30 employee, for work that is of equal value and with the same output,
31 shall be a violation of this Act. This is without prejudice to
32 company benefits relating to length of tenure of existing
33 employees, such as, but not limited to, longevity pay.
34

35 b) A new graduate earning purely compensation income shall be
36 given additional P10,000.00 personal exemption on his income tax,
37 over and above the amount provided under RA 8424 or the
38 National Internal Revenue Code of 1997, as amended.

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- c) Employers of a new graduate employed in a public or private institution who opt to establish and contribute to a personal equity and retirement account must match the graduate's contribution. Such contribution shall form part of the graduate's employment benefits

5.5 Right to a secure tenure.

- a) In consonance with the provision of the Labor Code, newly-hired employees have a right to a permanent position after six (6) months of satisfactory performance. Extension of probationary status of a new graduate shall be deemed as a violation of this provision. Moreover, employers are mandated to inform a new graduate hired of this right upon start of his employment. Thus, an employee who continues to be employed by his employer after a period of six (6) months shall automatically become a permanent employee.
- b) The DOLE and Civil Service Commission shall make a random audit of employees' tenure in both private and public institutions, respectively. Any employee who has been employed by his employer after a period of six (6) months shall be entitled to become a permanent employee.

5.6 Right to further training.

- a) It shall be the State's policy to encourage a new graduate's further training in the field of study he has specialized in. In the event that a new graduate employed in a private or public institution is offered further training, by way of continuing education, seminar or conference or on-the-job training , which would necessitate taking a leave of absence, he shall be allowed to attend such without loss of seniority rights.
- b) A new graduate shall be given equal opportunity and access to further training within the institution. A new graduate's status in any public or private institution (whether temporary, contractual,

1 casual or probationary) shall not be a bar to his participation in any
2 offered course or training within the institution. An employer is
3 prohibited from limiting participation of courses or training to
4 regular or tenured employees.
5

6 c) A new graduate from disciplines crucial to national development,
7 such as agriculture, science and technology, education, including
8 promotion of culture and the arts, shall be given priority in further
9 training, provided, that said graduates commit to stay and serve the
10 country for a minimum of 5 years. Such training will be facilitated
11 by DOLE, TESDA, and NCCA.
12

13 d) To assist a new graduate, employed or unemployed, gain the
14 necessary skills and training to be more competitive with
15 experienced employees, DOLE and PESO are mandated to
16 strengthen their programs on employment and occupational
17 counselling, career guidance and training..
18

19 ***5.7 Right to fair credit.*** 20

21 a) It shall be the State's policy to ensure that every new graduate is
22 given the opportunity to build his credit. A new graduate who
23 does not possess negative credit information shall be eligible to
24 apply for a short-term, multi-purpose or car loan from any
25 financial institution despite the lack of a long credit history.
26

27 1) A new graduate who is applying for a credit line
28 or a loan in any financial institution may use two (2)
29 current consecutive pay slips as proof of income, which
30 shall be prima facie evidence that the new graduate has the
31 capacity to repay or make good on the financial obligation
32 he is applying for.
33

34 b) The new graduate shall also be allowed to defer payment of any
35 outstanding student loan obligation without interest within six (6)
36 months of his graduation date in order to allow him time to seek
37 employment. Thereafter, the new graduate may apply with the
38 financial institution for an extension of deferment of his student

1 loan obligation for another six (6) months on account of hardship.
2 During the extension, the graduate must be allowed to pay only the
3 interest on his outstanding loan obligation.
4

5 1) The graduate may apply for forbearance on his student
6 loan obligation at any time until full payment of the loan,
7 provided that he informs the financial institution within 30
8 days from the first month he intends to ask for forbearance.
9 The forbearance may be for a period of up to one year. The
10 graduate must continue to pay interest on the loan during
11 the period of forbearance.
12

13 c) The State shall encourage commercial and government banks to
14 appropriate a portion of their loans, with lower interest rates, to
15 new graduates who need capital to start-up a business, without
16 prejudice to non-new graduates' loan applications. To encourage
17 participation, the "lost amount" arising from the granting of lower
18 interest rates on loans given to new graduates shall be considered
19 as an allowable deduction from the participating banks' gross
20 income in the computation of its income tax.
21

22 **5.8 Right to recognition.** A new graduate, as with other employees, shall
23 be recognized as an important part of the Philippine workforce. They
24 should be valued and given proper recognition for their vital
25 contribution to the country's economy. The DOLE shall initiate a New
26 Graduates' Rewards Program to provide discounts and incentives to new
27 graduates.
28

29 a) A new graduate shall be able to continue to avail of the student
30 discount on transportation fees within one (1) year from his
31 graduation date.
32

33 b) A new graduate who will be travelling outside of the country
34 within one (1) year from his date of graduation shall also be
35 exempt from payment of travel tax and airport terminal fee.
36

1 c) A new graduate who will be travelling within the country within
2 one (1) year from his date of graduation shall likewise be exempt
3 from payment of airport terminal fees.

4
5 **SEC. 6. *One Stop Shop*** - The Public Employment Service Office (PESO)
6 in different cities and municipalities shall serve as a One Stop Shop for a
7 new graduate to secure any or all documents necessary for employment
8 application. The PESO shall provide the step by step procedure in
9 applying for the different documents needed. It shall likewise be
10 responsible for his registration and/or enrolment in the government
11 agencies mentioned in Section 5.1.b.

12
13 Upon application for a New Graduate's Incentive Card, PESO
14 shall encourage the new graduate to:

15 (a) Submit a curriculum vitae in order for the PESO to include his
16 name in a database and enable them to link him with the appropriate
17 companies or employers, as well as facilitate easier tracking of the number
18 of new graduates in every industry.

19 (b) Attend an orientation seminar/workshop on basic labor laws
20 and rights, and other useful information on public and private
21 employment.

22
23 **SEC. 7. *Implementation***. The DOLE, Civil Service Commission and
24 concerned attached agencies shall be responsible for the administration and
25 monitoring of the implementation of the provisions of this act, and shall
26 promulgate the necessary implementing rules and regulations within thirty (30)
27 days from its effectivity.

28
29 **SEC. 8. *Appropriations***. To carry out the provisions of this Act, such sum
30 as may be necessary is hereby authorized to be appropriated from the National
31 Treasury. Thereafter, the sum necessary for the continuous operation of this Act
32 shall be included in the annual appropriation of DOLE.

33
34 **SEC. 9. *Separability Clause***. If any provision, or part hereof, is held
35 invalid or unconstitutional, the remainder of the law or the provision shall remain
36 valid and subsisting.

37
38 **SEC. 10. *Repealing Clause***. Any law, presidential decree or issuance,
39 executive order, letter of instruction, administrative order, rule or regulation

1 contrary to or inconsistent with, the provision of this Act is hereby repealed,
2 modified or amended accordingly.

3

4 **SEC. 11. *Effectivity Clause.*** This Act shall take effect fifteen (15) days
5 after its publication in at least two (2) newspaper of general circulation.

6

7 Approved,