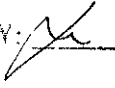


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SENATE

S. No. 3145

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

More often than not, the term "disability" involves social restrictions usually imposed on mentally or physically-impaired people by a hugely discriminatory society.

The Convention on the Rights of Persons with Disabilities and its Optional Protocol, which was adopted on 13 December 2006, follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. It serves as a human rights instrument with an explicit, social development dimension, which reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedom.

Moreover, the same Convention intends to clarify and qualify how all categories of rights apply to persons with disabilities, as it identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights, and areas where their rights have been violated, and where protection of rights must be reinforced.

In our country, Republic Act No. 7277, otherwise known as the "*Magna Carta for Disabled Persons*", grants certain rights and privileges for disabled persons. It provides equal opportunity for employment to qualified disabled persons in government office. However, still in most cases, lives of persons with disabilities are handicapped by physical and social barriers which hamper their full participation in the society. The said law, in fact, limits employment opportunities of persons with disability to certain government agencies, offices or corporations engaged in social development alone.

Recognizing that persons with disabilities have skills and potentials that will enable them to compete favorably for available opportunities in the society, this bill seeks to expand the number of positions reserved for disabled persons in the entire government service, as well as private corporations.

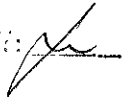
In view of the foregoing, approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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

12 MAR -7 AM 39

SENATE

RECEIVED


S. No. 3145

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
EXPANDING THE POSITIONS RESERVED FOR PERSONS WITH DISABILITY,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED,
OTHERWISE KNOWN AS THE "MAGNA CARTA FOR PERSONS WITH
DISABILITY"

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

SECTION 1. *Equal Opportunity for Employment.* - Section 5 of Republic Act No. 7277, as amended, is hereby amended to read as follows:

'SEC. 5. Equal Opportunity for Employment. - No [disabled) person with DISABILITY shall be denied access to opportunities for suitable employment. A qualified [disabled) employee WITH DISABILITY shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able bodied person.

[Five) ONE percent [(5%)) (1%) of all [casual, emergency and contractual) positions in [the Departments of Social Welfare and Development; Health; Education, Culture and Sports; and other] ALL government agencies, offices or corporations AND PRIVATE CORPORATIONS [engaged in social development] shall be reserved for [disabled] persons WITH DISABILITY?'

SEC. 2. *Separability Clause.* - Should any provision of this Act be found unconstitutional by a court of law, such provision shall be severed from the remainder of this Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

SEC. 3. *Repealing Clause.* - All laws, presidential decrees, executive orders, and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in any two (2) newspapers of general circulation.

Approved,