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SENATE

S.B. No. 1837

Introduced By Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

As part of the requirements for obtaining certain collegiate degrees and professional licenses, some students are required to undergo practical training on the job to complement their theoretical knowledge. Internship programs are intended to help students to better understand the professions that they will enter as well as to transition from school to work.

To ensure that internship programs accomplish the purpose for which they are set, certain parameters as regard work hours and workplace conditions should be imposed. The undersigned sponsor is mindful of abuses to the internship program, such as the medical internship program that sometimes requires interns to render thirty six (36) hour shifts, sometimes without even providing proper workstations or rest facilities.

The present internship program conditions do not guarantee optimal learning for students. Thus, the proposed measure outlines maximum work hours and minimum facilities for interns.

The undersigned urges the passage of the present measure.


MANUEL "LITO" M. LAPID
Senator

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

13 OCT 14 AM 52

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S.B. No. 1837

Introduced By Senator Manuel "Lito" M. Lapid

**AN ACT AMENDING TITLE II, CHAPTER 1
OF PRESIDENTIAL DECREE NO. 442,
OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES"**

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

1 **SECTION 1.** Title II, Chapter I of Presidential Decree No. 442, otherwise known
2 as the "Labor Code of the Philippines" is hereby amended to read as follows:

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Chapter I
Apprentices AND INTERNS

ART. 56. Statement of objectives. - This Title aims:
(1) To help meet the demand of the economy for trained manpower;
(2) To establish a national apprenticeship AND INTERNSHIP program through the participation of employers, workers and government and non-government agencies; and
(3) To establish apprenticeship AND INTERNSHIP standards for the protection of apprentices AND INTERNS.

ART. 58. Definition of Terms. - As used in this Title:
(a) "Apprenticeship" AND "INTERNSHIP" means practical training on the job supplemented by related theoretical instruction.

(b) An "apprentice" is a worker who is covered by a written apprenticeship agreement with an individual employer or any of the entities recognized under this Chapter.

(C) AN "INTERN" IS A WORKER WHO RECEIVES TRAINING ON THE JOB AS REQUIRED BY A SCHOOL OR TRAINING PROGRAM CURRICULUM OR AS REQUISITE FOR GRADUATION OR BOARD EXAMINATIONS.

1 [(c)] (D) An "apprenticeable occupation" means any trade, form of
2 employment or occupation which requires more than three (3) months
3 of practical training on the job supplemented by related theoretical
4 instruction.

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6 [(d)] (E) "Apprenticeship agreement" is an employment contract
7 wherein the employer binds himself to train the apprentice and the
8 apprentice in turn accepts the terms of training.

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10 **ART. 69. Responsibility for theoretical instruction.** - Supplementary
11 theoretical instruction to apprentices in cases where the program is
12 undertaken in the plant may be done by the employer. If the latter is not
13 prepared to assume the responsibility, the same may be delegated to an
14 appropriate government agency.

15
16 **ART. 72. [Apprentices without compensation.** - The Secretary of Labor and
17 Employment may authorize the hiring of apprentices without
18 compensation whose training on the job is required by the school or
19 training program curriculum or as requisite or graduation or board
20 examination.] **RIGHTS OF INTERNS. - ALL INTERNS SHALL BE**
21 **ENTITLED TO THE FOLLOWING:**

22
23 (A) **NORMAL HOURS OF WORK SHALL NOT EXCEED**
24 **TWENTY-FOUR (24) HOURS A DAY AND SHALL NOT,**
25 **IN ANY CASE, EXCEED EIGHTY (80) HOURS A WEEK;**

26
27 (B) **INTERNS SHALL ENJOY AT LEAST ONE (1) DAY FREE**
28 **OF DUTY EVERY WEEK AND A MINIMUM OF EIGHT (8)**
29 **HOURS FREE OF DUTY SHOULD BE GIVEN BETWEEN**
30 **DUTY PERIODS;**

31
32 (C) **ADEQUATE WORKSTATIONS SHALL BE PROVIDED**
33 **WHICH SHOULD BE SUITABLY ARRANGED TO**
34 **ACCOMMODATE THE TOTAL NUMBER OF INTERNS;**

35
36 (D) **WASH ROOMS OR SHOWERS AND CHANGING**
37 **ROOMS SHOULD BE READILY ACCESSIBLE TO**
38 **ENSURE HYGIENE, PARTICULARLY FOR INTERNS**
39 **WHO ARE ON DUTY FOR EXTENDED PERIODS OF**
40 **TIME, PARTICULARLY DURING NIGHT SHIFTS;**

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42 (E) **SUITABLE EATING FACILITIES SHOULD BE**
43 **PROVIDED; AND**

44
45 (F) **SUITABLE RESTING QUARTERS SHOULD BE**
46 **PROVIDED TO INTERNS WHO ARE ON DUTY FOR**
47 **MORE THAN EIGHT (8) HOURS AND THOSE WHO ARE**
48 **ON DUTY DURING NIGHT SHIFTS.**

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51 **SEC. 2.** The Commission on Higher Education shall promulgate the necessary
52 rules and regulations to implement this Act.

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SEC. 3. The amount necessary to carry out the provisions of this Act shall be provided in a supplemental budget or included in the General Appropriations Act of the year of its enactment into law. Thereafter, the expenses for its continued implementation shall be included in the subsequent General Appropriations Act.

SEC. 4. If any provision or part of this Act shall be declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 5. All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. 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,