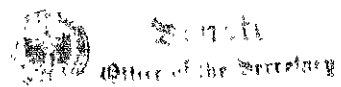


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )



DEC 22 1973

SENATE  
S. B. No. 2535

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
ESTABLISHING A JOB TRAINING PROGRAM  
FOR MATURE OR OLDER WORKERS

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)

Unemployment and underemployment are perennial problems of the Philippine government. News reports of banks, corporations and small and medium scale businesses forced to close down abound.

Jobs are being lost because of the continued high interest rates forcing businesses to slow down both in investments and in actual production.

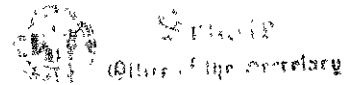
The trend undoubtedly places the mature and older workers at a disadvantage. Those who are previously employed may suddenly find themselves jobless, while those who have never been employed might have less chances of being hired because of increased competition.

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.<sup>1</sup>

MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed during the Thirteenth Congress, First Regular Session.



DEC 27 P4:13

SENATE  
S. B. No. 2535

RECEIVED

Introduced by Senator Miriam Defensor Santiago

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

AN ACT  
ESTABLISHING A JOB TRAINING PROGRAM  
FOR MATURE OR OLDER WORKERS

1 SECTION 1. *Short Title.* – This Act shall be known as the “Mature and Older  
2 Workers Act of 2014.”

3 SECTION 2. *Declaration of Terms.* - It is a policy of the State to afford full  
4 protection to labor, local and overseas, organized and unorganized, and promote full  
5 employment and equality of employment opportunities for all.

6 SECTION 3. *Definition of Terms.* - As used in this Act, the term:

7 (A) “Basic Skills Deficient” means, with respect to an individual, that the  
8 individual has English reading or computing skills at or below the 8<sup>th</sup> grade  
9 level on a generally accepted standardized test or a comparable scope on a  
10 criterion referenced test;

11 (B) “Care Management” means the provision in the delivery of a service of a  
12 client-centered approach designed to—

13 (1) Prepare and coordinate a comprehensive employment plan, such as a  
14 service strategy, for a participant to ensure access to a necessary training  
15 and support service; and

16 (2) Provide job and career counseling during program participation and  
17 offer job placement;

1 (C) "Educational Agency" means-

2 (1) A public local school authority having administrative control of  
3 elementary, middle, or secondary school or providing adult education;

4 (2) A public or private institution that provides alternative middle or high  
5 school education;

6 (3) A public education institution or agency having administrative control  
7 of secondary or post-secondary vocational education programs; or

8 (4) A post-secondary institution;

9 (D) "Mature or Older Worker" means an individual who is over forty (40) years  
10 of age or older;

11 (E) "Participant" means an individual who has been determined to be eligible to  
12 participate in the program;

13 (F) "School Dropout" means an individual who has been determined to be  
14 eligible to participate in the program; and

15 (G) "Termination" means the separation of a participant who is no longer  
16 receiving services.

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

20 (A) Individuals whose income is not in excess of the poverty line;

21 (B) Individuals who are eligible for housing assistance; or

22 (C) Individuals who are included in 2 or more of the following categories:

23 (1) Individuals who are unemployed 15 of the past 26 weeks;

24 (2) Individuals who are unemployed 30 of the past 52 weeks;

25 (3) Individuals who are working 20 or fewer hours a week;

26 (4) Individuals who are displaced homemakers;

- 1 (5) Individuals who are homeless;
- 2 (6) Individuals who have finished less than 10 years of school;
- 3 (7) Individuals who are deficient in basic skills;
- 4 (8) Individuals who have been notified that the jobs of such individuals will  
5 be terminated within the next 60 days; or
- 6 (9) Individuals who live alone.

7  
8 SECTION 5. *Program Design.* –

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

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

1 (3) A review of the progress of each participant in meeting the objectives of  
2 the service strategy; and

3 (4) Basic skills training and occupational skills training if the assessment  
4 and the service strategy indicate such training are appropriate.

5 (B) *Additional Requirements.* –

6 (1) *Minimum Income Participants and Applicants.* – Each service delivery  
7 area participating in a program assisted under this part shall ensure that  
8 each participant or applicant shall be provided information on the full  
9 array of the applicable or appropriate services that are available through  
10 the service delivery area or other service providers, including providers  
11 receiving funds under this Act; and referral to other appropriate training  
12 and educational programs that have the capacity to serve the participant  
13 or applicant either on a sequential or concurrent basis.

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

20 The service delivery area shall ensure that appropriate referrals  
21 are made and shall maintain records on the referrals and the reasons for  
22 which applicants are referred.

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

26 (a) Outreach and recruitment;

- 1 (b) Intake and assessment;
- 2 (c) Job search assistance;
- 3 (d) Classroom and occupational skill training;
- 4 (e) On-the-job training;
- 5 (f) Work experience;
- 6 (g) Basic remedial and education and literacy training;
- 7 (h) Supplemental services, including day care for dependent children
- 8 and adults;
- 9 (i) Occupational placement assistance.

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

14 The Department of Labor and Employment shall develop the job  
15 training program under this Act. It may seek the assistance of older  
16 government agencies such as the Department of Education and the help of  
17 private educational agencies. It shall also formulate the necessary  
18 implementing rules and regulations that will ensure the efficient and effective  
19 implementation of this Act.

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

1           SECTION 7. *Separability Clause.* -- If any provision or part hereof, is held invalid  
2 or unconstitutional, the remainder of the law or the provision not otherwise affected shall  
3 remain valid and subsisting.

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

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

10          Approved,

/dpmDec2014