



HOUSE OF REPRESENTATIVES

H. No. 8139

BY REPRESENTATIVES VARGAS, TUGNA, HERRERA-DY, VILLAFUERTE, PRIMICIAS-AGABAS, HOFER, TING, NOGRALES (K.A.), ARENAS, GASATAYA, TEJADA, CASTRO (F.L.), MARQUEZ, TAN (A.), GO (M.), COLLANTES, VILLARICA, ANTONIO, NIETO, LAZATIN, ZAMORA (M.C.), DEL MAR, NUÑEZ-MALANYAON, ANTONINO, SAMBAR, ABELLANOSA, SUANSING (E.), MONTORO, LIMKAICHONG, ZUBIRI, UYBARRETA, SALON, UNABIA, ROMUALDO, ESCUDERO, ONG (E.), CALDERON, DALIPE, YAP (M.), ELAGO, MACAPAGAL-ARROYO, ANDAYA, JAVIER, SY-ALVARADO, TUPAS, TAMBUNTING, VELARDE, CALIXTO-RUBIANO, BATOCABE, DIMAPORO (M.K.) AND BELARO, PER COMMITTEE REPORT NO. 828

AN ACT INSTITUTING A PHILIPPINE LABOR FORCE COMPETENCY COMPETITIVENESS PROGRAM AND FREE ACCESS TO TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET)

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as the "Tulong-Trabaho Act".

1 SEC. 2. *Declaration of Policy.* – The Philippine Constitution
2 provides that the State shall promote a just and dynamic social
3 order that will ensure the prosperity and independence of the
4 nation, and free the people from poverty through policies that
5 provide adequate social services, promote full employment, a rising
6 standard of living, and an improved quality of life for all. For this
7 purpose, the Constitution encourages informal and indigenous
8 learning systems, as well as self-learning, independent, and
9 out-of-school study programs, particularly those that respond to
10 community needs.

11 SEC. 3. *Objectives.* – This Act has the following objectives:

12 (a) To strengthen the qualifications of the Filipino workforce
13 to meet the challenges of the rapidly evolving workplaces and work
14 structures;

15 (b) To provide for more innovative approaches to
16 technical-vocational education and training (TVET) linked to the
17 requirement of industry;

18 (c) To facilitate access to quality TVET; and

19 (d) To encourage the participation of industry and
20 communities in competencies formation and upgrading towards a
21 more competitive Filipino workforce.

22 SEC. 4. *Definition of Terms.* – As used in this Act:

23 (a) *Competency* refers to the standard knowledge, skills,
24 attitude, and values required to complete a work activity in a
25 particular job, trade, or occupation;

26 (b) *Competency-based learning system* refers to a system by
27 which the learner is trained on the basis of demonstrated ability;

1 (c) *Direct training expenses* refer to items of costs that are
2 specifically traced to or caused by the training and include
3 consumables used in the course of the program, training supplies,
4 materials, utilities, venue and equipment, trainers' fees, and other
5 related expenditures;

6 (d) *Enterprise-based programs* refer to training programs
7 being implemented in companies or firms. These programs can be
8 any of the following: Apprenticeship Program, Learnership
9 Program, and Dual Training System;

10 (e) *Formal education* refers to the systematic and deliberate
11 process of hierarchically structured and sequential learning
12 corresponding to the general concept of elementary and secondary
13 level of schooling. At the end of each level, the learner needs a
14 certification in order to enter or advance to the next level;

15 (f) *Informal education* refers to a lifelong process of learning
16 by which every person acquires and accumulates knowledge, skills,
17 attitudes, and insights from daily experiences at home, at work, at
18 play, and from life itself;

19 (g) *Labor market intelligence reports* refer to the latest reports
20 and researches provided by the Technical Education and Skills
21 Development Authority (TESDA) and the Department of Labor and
22 Employment (DOLE) which pertain to crucial skills that are in
23 demand in today's competitive labor market;

24 (h) *Philippine TVET Competency Assessment and Certificate*
25 *System* refers to a quality-assured system in recognition of the
26 attainment of competencies (knowledge, skills, attitudes and values)
27 as referred to the competency standards set for middle-level

1 occupation. It is the process of determining the qualification level of
2 a person and a tool in identifying the training needs of a person
3 with competency gaps;

4 (i) *Selected training programs (STPs)* refer to
5 school-based, center-based, community-based or enterprise-based
6 technical-vocational training programs approved by the TESDA
7 Board based on the recommendations of pertinent industries; and

8 (j) *Technical-Vocational Education and Training (TVET)*
9 refers to the education or training programs registered with the
10 TESDA involving general education, the study of technologies and
11 related sciences, acquisition of practical skills relating to
12 occupations in various sectors of economic life and social life, and
13 comprises formal (organized programs as part of the school system)
14 and nonformal (organized classes outside the school system)
15 approaches.

16 SEC. 5. *Philippine Labor Force Competency Competitiveness*
17 *Program.* -- There shall be established a Philippine Labor Force
18 Competency Competitiveness Program in accordance with Section
19 15 of this Act, hereinafter referred to as the Program, which shall be
20 funded through the Tulong-Trabaho Fund created in accordance
21 with Section 6 of this Act.

22 ARTICLE II

23 THE TULONG-TRABAHO FUND

24 SEC. 6. *Tulong-Trabaho Fund.* -- There shall be established
25 a Tulong-Trabaho Fund that shall provide qualified recipients with
26 access to TVET programs under the STPs to be determined by the
27 TESDA Board through the full payment of the STPs' training fees,

1 as well as the additional financial assistance such as transportation
2 allowance and laboratory fees, as needed.

3 All costs to be incurred in undergoing assessment and
4 certification, issuance of national certificates and other documents,
5 administrative and all other procedures required for the completion
6 of the TVET programs under the STPs shall be free of charge to the
7 qualified recipients under Section 9 of this Act.

8 *SEC. 7. Management of the Tulong-Trabaho Fund.* - The
9 TESDA shall be primarily responsible for managing the
10 Tulong-Trabaho Fund. For this purpose, the TESDA Board shall
11 promulgate the policies and guidelines to implement the Program.

12 The TESDA Board shall also have the power to receive
13 donations from both government and nongovernment organizations
14 to be used strictly and exclusively for the beneficiaries and qualified
15 applicants of the Tulong-Trabaho Fund.

16 *SEC. 8. Scope of Financial Assistance.* - The
17 Tulong-Trabaho Fund shall be used to pay the fees of qualified
18 recipients in STPs in accordance with Section 10 of this Act.

19 *SEC. 9. Qualified Recipients.* - Access to the
20 Tulong-Trabaho Fund shall be made available to: (a) any person at
21 least fifteen (15) years of age who is no longer in school and does not
22 have a regular job or is not undergoing any form of training for a
23 particular job, such as out-of-school youth, unemployed adults, and
24 those intending to work in the emerging sectors or industries; and
25 (b) part-time or underemployed workers who intend to develop and
26 expand their current skills and technical-vocational training:

1 *Provided*, That existing workers in enterprise-based companies or
2 industries shall be excluded from the coverage of this Act.

3 SEC. 10. *Determination of STPs.* - The TESDA Board
4 shall approve the final list of STPs eligible to receive funding from
5 the Tulong-Trabaho Fund based on the initial recommendation
6 of the TESDA Secretariat. The STPs may be school-based,
7 center-based, community-based, or enterprise-based programs
8 which shall be determined according to the following considerations:

9 (a) The latest issuances of Labor Market Intelligence Reports;

10 (b) Quantitative and qualitative data on employment
11 opportunities to be provided by the DOLE;

12 (c) Quantitative and qualitative data on jobs and skills
13 matching, as determined by the TESDA;

14 (d) The Human Resource Development Roadmaps; and

15 (e) Other quantitative and qualitative studies to be
16 determined as necessary by the TESDA Board in its selection of
17 STPs:

18 *Provided*, That the TESDA Board may, in its discretion, adopt
19 additional bases to achieve the objectives of this Act.

20 The TESDA Board shall release the initial list of available
21 STPs within two (2) months from the effectivity of this Act. It shall
22 also update such list in accordance with the provisions of this Act.

23 SEC. 11. *Determination of Qualified Recipients.* -
24 Tulong-Trabaho Funds may be made available to heads of entities
25 to be used for STP projects: *Provided*, That such entities submit a
26 list of intended trainee-recipients to the concerned TESDA Regional
27 Directors. Based on this submission, the TESDA Regional Directors

1 shall recommend the acceptance of qualified trainee-recipients to
2 the TESDA Director General.

3 The list of qualified recipients shall be updated periodically
4 and acceptance of new or additional recipients shall depend on the
5 number of STPs and the availability of the Tulong-Trabaho Fund.

6 SEC. 12. *Evaluation of Assistance Given to Schools and*
7 *Training Centers.* – The TESDA Board shall periodically evaluate
8 schools and training centers that receive funding from the
9 Tulong-Trabaho Fund. These recipient-institutions shall ensure
10 that at least seventy percent (70%) of the beneficiaries of the
11 Tulong-Trabaho Fund are able to pass the Philippine TVET
12 Competency Assessment and Certification System. Failure to meet
13 the passing rate shall subject the school or training center to
14 performance review and audit by the TESDA Board.

15 The TESDA Board shall have the discretion to provide other
16 criteria and standards to determine whether the school or center
17 shall continue to receive financial assistance through the
18 Tulong-Trabaho Fund.

19 SEC. 13. *Public Online Registry.* – The TESDA shall create a
20 registry of schools and training centers that offer STPs and a
21 database of qualified recipients of financial assistance and
22 graduates of these programs. These lists shall be accessible through
23 the website of the TESDA.

24 ARTICLE III

25 DEVELOPMENT MODALITIES AND SUPPORT SYSTEMS

26 SEC. 14. *Primary Duty of the TESDA.* – The TESDA shall
27 design and implement the support systems necessary to achieve the

1 Tulong-Trabaho Fund and other funds allocated in the GAA,
2 donations from private and other organizations, expenditures, the
3 performance of the qualified recipients and other pertinent
4 information as may be necessary.

5 ARTICLE V

6 MISCELLANEOUS PROVISIONS

7 SEC. 18. *Oversight Committee.* – There is hereby created a
8 Joint Congressional Oversight Committee on Tulong-Trabaho
9 composed of three (3) members each from the House Committee on
10 Higher and Technical Education and the House Committee on
11 Labor and Employment, to be appointed by the House Speaker, and
12 the Senate Committee on Education, Arts and Culture and the
13 Senate Committee on Labor, Employment and Human Resources
14 Development, to be appointed by the Senate President: *Provided,*
15 That at least one (1) member from each Committee shall represent
16 the minority.

17 The Joint Oversight Committee on Tulong-Trabaho shall have
18 the power to monitor and review the implementation of this Act and
19 the disbursements of the Tulong-Trabaho Fund: *Provided, further,*
20 That the secretariat of the Joint Oversight Committee shall be
21 drawn from the secretariat personnel of the House Committee on
22 Higher and Technical Education, the House Committee on Labor
23 and Employment, the Senate Committee on Education, Arts and
24 Culture, and the Senate Committee on Labor, Employment and
25 Human Resources Development. Funding for the expenses of the
26 Joint Oversight Committee shall be taken from the appropriations
27 of both the House and the Senate committees.

1 SEC. 19. *Implementing Rules and Regulations.* – The
2 TESDA shall, in consultation with relevant stakeholders, issue the
3 implementing rules and regulations of this Act within a period of
4 ninety (90) days after the effectivity of this Act.

5 SEC. 20. *Separability Clause.* – If any provision or part
6 hereof, is held invalid or unconstitutional, the remainder of the law
7 or the provision not otherwise affected shall remain valid and
8 subsisting.

9 SEC. 21. *Repealing Clause.* – Any law, presidential decree or
10 issuance, executive order, letter of instruction, administrative order,
11 rule or regulation contrary to or inconsistent with the provisions of
12 this Act is hereby repealed, modified, or amended accordingly.

13 SEC. 22. *Effectivity.* – This Act shall take effect fifteen (15)
14 days after its publication in the *Official Gazette* or in a
15 newspaper of general circulation.

Approved,

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