

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



Senate
Office of the Secretary

20 APR 16 A9:27

SENATE

S. No. 1435

RECEIVED BY

Introduced by SENATOR LEILA M. DE LIMA

**AN ACT
PROVIDING DISCOUNT FOR INDIGENT JOB APPLICANTS IN THE
PAYMENT OF FEES AND CHARGES FOR CERTAIN CERTIFICATES AND
CLEARANCES ISSUED BY GOVERNMENT AGENCIES FOR
EMPLOYMENT APPLICATION**

EXPLANATORY NOTE

Unemployment and underemployment lie at the core of poverty. Among our indigent citizens, labor opportunities are seen to be one of the prospective windows that can help improve their well-being and their family's quality of life¹. Therefore, availment of productive employment opportunities is essential for achieving poverty reduction and sustainable economic and social development.

Article II, Section 9 of the 1987 Constitution clearly provides that it is the duty of the State to "free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

For this reason, the pivotal role of the government to assist the poor, through enactment of measures that will facilitate easy access to decent jobs that both secure income and the necessary entitlements for them, is imperative.

¹ United Nations (NA) *Employment and Decent Work*. Retrieved from: <https://www.un.org/development/desa/socialperspectiveondevelopment/issues/employment-and-decent-work.html>. Accessed last 11 March 2020.

Presently, unemployment persists in the country at a rate of 5.3%, based on the January 2020 data of the Philippine Statistics Authority². This implies that there are 2.39 million Filipinos who are in need of employment, most of whom are the poor.

Unemployment worsens the government's effort to eradicate poverty³. It fiscally burdens both the unemployed and the country by depriving the poor its means to support its household's basic needs and demands the government to deal with the loss of income, decreased production and additional spending for social welfare support.

The poor should be assisted in finding decent work so that they will be liberated from such arduous conditions. It is the humble intention of this proposed measure to encourage and assist indigent job seekers in securing gainful employment by providing them a Twenty Percent (20%) discount in the payment of fees and charges for certain clearances and certificates issued by some government agencies which are required for pre-employment application.

By reducing some of their financial burdens in the process of finding jobs, indigent job applicants are afforded modest support and chances to find work.

The early approval of this measure is earnestly sought.


LEILA M. DE LIMA

² Rivas, R (5 March 2020) *Philippine employment, unemployment rates steady in January 2020*. Retrieved from: <https://www.rappler.com/business/253479-employment-unemployment-rates-philippines-january-2020>. Accessed last: 11 March 2020.

³ Ordinario, C. (25 February 2013) *Lack of decent jobs worsens poverty*. Retrieved from: <https://www.rappler.com/business/22532-lack-of-decent-jobs-worsens-poverty>. Accessed last 10 March 2020

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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 “Indigent Job Applicants
2 Discount Act”.

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote a just and
4 dynamic order that will ensure the prosperity and independence of the nation and free
5 people from poverty through policies that provide adequate social services, promote
6 full employment, a rising standard of living and improved quality of life for all.

7 Further, the State shall strive to promote full employment and equality of
8 gainful work and opportunities for its citizens. Toward this end, the state shall expand
9 accessibility to government services and provide acceptable discounts and incentives
10 to enhance indigent jobseekers’ access to decent employment.

11 Sec. 3. *Provision of Twenty Percent (20%) Discount.* – Indigent job applicants,
12 whether locally or abroad, shall be granted a Twenty Percent (20%) discount in the
13 payment of fees and charges for the following clearances and certificates requisite for
14 pre-employment application:

- 15 a) Clearance from the barangay where the applicant resides;
16 b) Clearance from the National Bureau of Investigation (NBI);

- 1 c) Clearance from the Philippine National Police (PNP);
- 2 d) Medical certificate for local employment from any government hospital
- 3 licensed by the Department of Health (DOH), and medical certificate for
- 4 foreign employment from any DOH-accredited medical facility for Filipino
- 5 overseas workers;
- 6 e) Certificate of marriage from the Philippine Statistics Authority (PSA);
- 7 f) Certificate of live birth from the Philippine Statistics Authority (PSA);
- 8 g) Transcript of Records (TOR) from the State Universities and Colleges of the
- 9 applicant;
- 10 h) Tax Identification Number (TIN);
- 11 i) Certificate of Good Moral Character (CGMCS) from the State Universities
- 12 and Colleges of the applicant; and
- 13 j) Other documentary requirements issued by the government that may be
- 14 required by employers from indigent job applicants.

15
16 The indigent job applicant may avail of the privileges under this Act only once
17 every six (6) months from each government agency.

18 **Sec. 4. *Identification of Beneficiaries.*** – For purpose of this Act, an indigent job
19 applicant refers to a person who is seeking gainful employment and has no visible
20 means of income or whose income falls below the official poverty threshold, and as
21 identified and certified by the Philippine Statistics Authority (PSA) based on the
22 criteria set under the Community-Based Monitoring System (CBMS) as established
23 under Republic Act No. 11315. The city or municipality shall issue the certificates of
24 indigency based on the latest CBMS data.

25 **Sec. 5. *Inter-Agency Coordinating and Monitoring Committee.*** – An Inter-
26 Agency Coordinating and Monitoring Committee shall be established to coordinate
27 and monitor the implementation of this Act.

28 **Sec. 6. *Composition of the Committee.*** – The Committee shall be composed of
29 the following:

- 30 a. Secretary of Labor and Employment or his authorized representative as
- 31 Chairperson;

- 1 b. National Statistician and Civil Registrar-General of the Philippine Statistics
- 2 Authority or his authorized representative, as Vice Chairperson;
- 3 c. Secretary of the Interior and Local Government or his authorized
- 4 representative as Member;
- 5 d. Secretary of Justice or his authorized representative as Member;
- 6 e. Chief of the Philippine National Police or his authorized representative as
- 7 Member;
- 8 f. Director of the National Bureau of Investigation or his authorized
- 9 representative as Member;
- 10 g. Secretary of Health or his authorized representative as Member;
- 11 h. Lead Convenor of the National Anti-Poverty Commission or his authorized
- 12 representative as Member; and
- 13 i. Commissioner of the Commission on Higher Education.

14 **Sec. 7. *Functions of the Committee.*** – The Committee shall have the following
15 functions:

- 16 a. To coordinate, monitor and evaluate the implementation of this Act;
- 17 b. To make recommendations for concerned agencies to ensure the effective
- 18 and efficient delivery of benefit for indigent job applicants under this Act;
- 19 and
- 20 c. To submit an annual report to Congress on the implementation of this Act.

21 **Sec. 8. *Penalties.*** –

22 a) Any public officer or employee who refuses or fails to provide the benefit
23 granted to the indigent job applicant in violation of Section 3 of this Act shall, upon
24 conviction, be subject to a fine of not less than Five Thousand Pesos (₱5,000.00) but
25 not more than Twenty Thousand Pesos (₱20,000.00).

26 Prosecution for an offense set forth in this Act shall be without prejudice to any
27 liability for violation of any other existing laws, including civil service law, rules and
28 regulations.

29 b) A job applicant who misrepresents or falsifies any document to avail of
30 benefits provided under this Act or abuses the privilege granted herein shall be
31 prosecuted and punished in accordance with the pertinent provisions of Republic Act

1 No. 3185, as amended, otherwise known as the Revised Penal Code, and shall suffer
2 perpetual disqualification from availing of the privileges under this Act.

3 **Sec. 9. *Implementing Rules and Regulations.*** – Within six (6) months from the
4 effectivity of this Act, the Department of Labor and Employment (DOLE), in
5 consultation with Philippine Statistics Authority (PSA), Department of Interior and
6 Local Government (DILG), National Bureau of Investigation (NBI), Philippine
7 National Police (PNP), Department of Justice (DOJ), Department of Health (DOH),
8 the National Anti-Poverty Commission (NAPC), and the Commission on Higher
9 Education (CHED) shall issue the necessary rules and regulations for the effective
10 implementation of this Act.

11 **Sec. 10. *Separability Clause.*** – If, for any reason, any section or provision of
12 this Act is held unconstitutional or invalid, the other sections or provisions hereof shall
13 not be affected and thereby remain in full force and effect.

14 **Sec. 11. *Repealing Clause.*** – All laws, decrees, executive orders, and rules and
15 regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby
16 repealed or modified accordingly.

17 **Sec. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
18 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,