



20 MAY -4 P 1 :34

SENATE  
S. B. No. 1469

RECEIVED BY: 

Introduced by SENATOR SONNY ANGARA

**AN ACT**  
**SUPPORTING THE GROWTH AND DEVELOPMENT OF DIGITAL CAREERS IN**  
**THE PHILIPPINES**

EXPLANATORY NOTE

New technologies have brought about non-traditional ways of earning a living. This includes online freelancing, which in recent years has grown to what some call a full-fledged “gig economy.” In essence, the gig economy is composed of short-term freelance workers with no geographical boundaries in proximity to those employing them.<sup>1</sup> It is powered by social media, global marketplaces and online payment platforms<sup>2</sup> which jointly provide freelance workers the flexibility to chart their own career paths.

In recent years, online freelancing has grown significantly here the Philippines. In Paypal’s 2018 Global Freelancer Insights Report, among the 22 countries included and analyzed, the Philippines has one of the highest freelancers per capita, at around two percent or roughly 1.5 to 2 million Filipinos, engaged in freelance work.<sup>3</sup> In 2019, Forbes<sup>4</sup> listed the Philippines in 6<sup>th</sup> place, for fastest growing market for freelancers, recording a 35% income growth from the previous year.

<sup>1</sup> <https://www.forbes.com/sites/forbescoachescouncil/2020/03/27/why-the-gig-economy-will-drive-the-future-of-employment/#6083cae74f52>

<sup>2</sup> <https://businessmirror.com.ph/2020/02/12/the-future-of-work-is-here-freelance-economy-offers-unparalleled-opportunity-for-growth-moves-to-close-the-gender-pay-gap/>

<sup>3</sup> <https://www.philstar.com/the-freeman/cebu-business/2019/03/22/1903573/gig-economy-and-you>

<sup>4</sup> <https://www.forbes.com/sites/elainepofeldt/2019/08/18/the-top-10-fastest-growing-freelance-markets-in-the-world/#628a5823733b>

Notably, the Philippine government has launched programs such as the DigitalJobsPH Technical Training project of the Department of Information and Communications Technology (DICT) which aims to help people find work as digital entrepreneurs and freelancers in the information and communications technology (ICT) field. However, much may still be done to for online freelancing to further flourish as a viable source of livelihood in the Philippines. Learnings from the current COVID-19 pandemic show us the potentials in the freelance economy such as workplace flexibility while at the same time highlighting the disadvantages faced by those engaged full-time in freelance work such as the lack of basic social protections and safety nets since they are not part of the formal economy.

With a growing online freelance industry and with the new normal ushered in by the COVID-19 pandemic, it now behooves the government to establish a legal framework covering online freelancing that will—map out strategies to promote and strengthen digital careers; institutionalize employment standards for digital career workers; and enhance the competitiveness of our digital workers through access to necessary trainings, skills development and scholarship programs.

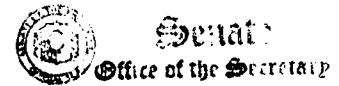
Just like its counterpart measure the proposed “National Digital Transformation” Act, this measure falls under our broad “Tatak Pinoy” industrialization campaign and policy, where Filipino enterprises, entrepreneurs and professionals are enabled and empowered to move up the value chain, produce quality goods and services, export more of their offerings, and ultimately innovate on their endeavors.

In view of the foregoing, the passage of this bill is earnestly sought.



**SONNY ANGARA**  
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EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



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SENATE  
S. B. No. 1469

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**AN ACT  
SUPPORTING THE GROWTH AND DEVELOPMENT OF DIGITAL CAREERS IN  
THE PHILIPPINES**

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

**ARTICLE I**

**STATE POLICIES AND BASIC PRINCIPLES**

**SECTION 1. Short Title.** – This Act shall be known as the “National Digital  
Careers Act”.

**SEC. 2. Declaration of State Policy.** – The State, recognizing of the impact of  
the Fourth Industrial Revolution to employment and nature of jobs, shall encourage  
the development of digital careers across all sectors of society. In furtherance  
thereof, the State shall ensure that Filipino workers remain competitive and possess  
skills and competencies at par with global standards in the digital economy. To this  
end, the State shall, promote the skilling, upskilling, and re-skilling of the Filipino  
workforce to support the impact of digital transformation across all industries and  
shall create and adopt standards for digital careers.

**ARTICLE II**

**DEFINITION OF TERMS**

**SEC. 3. Definition of Terms.** – The following terms as used in this Act shall  
mean:

(a) “21st century skills” refer to skills that are required by new jobs, such as  
critical thinking, problem solving, good communication, collaboration,

- 1 information and technology literacy, flexibility and adaptability, and  
2 innovativeness and creativity;
- 3 (b) "*Advanced skills*" refer to those needed by specialists in ICT professions,  
4 such as computer programming and network management;
- 5 (c) "*Co-working agency*" refers to a company that provides facilities,  
6 accounts, and training for several independent contractors and engages  
7 the latter to provide services to one or several companies but on a  
8 temporary basis;
- 9 (d) "*Digital career worker, freelancer, and freelance worker*" refers to a  
10 person who is self-employed and is not necessarily committed to a  
11 particular employer long-term. Freelance workers are sometimes  
12 represented by a company or a temporary agency that resells freelance  
13 labor to clients; others work independently or use professional  
14 associations or websites to get work;
- 15 (e) "*Digital content*" refers to any type of content that exists in the form of  
16 digital data that are encoded in a machine-readable format, and can be  
17 created, viewed, distributed, modified and stored using computers and  
18 digital technologies, *e.g.*, the internet. The content can be either free or  
19 paid content such as web pages and websites, social media, data and  
20 databases, digital audio, such as mp3s, and e-books, digital imagery,  
21 digital video, video games, computer programs and software;
- 22 (f) "*Digital entrepreneurship*" refers to combining traditional entrepreneurship  
23 with new digital technologies, thus creating digital enterprises which are  
24 characterized by a high intensity of utilization of novel digital technologies,  
25 particularly social media, big data analytics, mobile and cloud solutions to  
26 improve business operations, invent new business models, sharpen  
27 business intelligence, and engage with customers and stakeholders;
- 28 (g) "*Digital skills*" refer to a range of abilities, from basic to more advanced,  
29 encompassing a combination of behaviors, expertise, know-how, work  
30 habits, character traits, dispositions, and critical understanding on the use  
31 of digital devices, communication applications, and networks to access and  
32 manage information;

- 1 (h) "*Digital technology*" refers to any product that can be used to create,  
2 view, distribute, modify, store, retrieve, transmit, and receive information  
3 electronically in a digital form such as personal computers and devices like  
4 desktop, laptop, netbook, tablet computer, smart phones, PDA with mobile  
5 phone facilities, games consoles, media players, e-book readers, as well as  
6 digital television, and robots;
- 7 (i) "*Innovation*" refers to the creation of new ideas using new or existing  
8 technologies that results in the development of new or improved products,  
9 processes, or services, which are then spread or transferred across the  
10 market;
- 11 (j) "*Intermediate skills*" refer to usage of digital technologies in a more  
12 meaningful and beneficial ways, including the ability to critically evaluate  
13 technology or create content;
- 14 (k) "*Social inclusion*" refers to the process of improving the terms for  
15 individuals and groups to take part in society;

### 16 **ARTICLE III**

#### 17 **DEVELOPMENT OBJECTIVES AND STRATEGIES**

18 **SEC. 4. *Development of Digital Careers.*** – In promoting careers and jobs that  
19 are enabled and supported by the Internet, information and communications  
20 technology (ICT), digital technology and tools, and systems that allow a person to  
21 interact directly with companies and service users and end-users through remote  
22 and virtual services and systems, the State shall:

- 23 (a) Ensure and take pro-active measures to improve the digital competence of  
24 all citizens of working age and equip them with basic, intermediate and  
25 advanced digital skills including digital entrepreneurship skills in order to  
26 gain from the benefits of the growing number of jobs and opportunities  
27 that are enabled by ICT, Internet and digital communications, digital  
28 technologies and digital tools;
- 29 (b) Ensure that citizens of working age are equipped with information and  
30 data literacy, communication and collaboration skills using digital  
31 technologies, digital content creation skills, virtual safety and security  
32 skills, and 21<sup>st</sup> century skills required for digital jobs and careers;

1 (c) Ensure adequate protection and support for digital career workers,  
2 freelancers, and freelance workers, for the continuous improvement of  
3 their skills to effectively keep up with global standards; and

4 (d) Provide support to digital career workers, freelancers, and freelance  
5 workers in terms of co-working or shared service facilities, free trainings,  
6 and exposure programs to improve their skills and access to different  
7 government programs such as loan facilities for them to secure  
8 equipment, as may be allowed by law, under existing and/or future  
9 programs by relevant government agencies.

10 **SEC. 5. *Programs on Digital Careers.*** - The Department of Information and  
11 Communications Technology (DICT) and the Department of Education (DepEd), in  
12 collaboration with the Commission on Higher Education (CHED), and the Technical  
13 Education and Skills Development Authority (TESDA), shall immediately create,  
14 design, and develop programs to ensure access to trainings, market, and other  
15 forms of support or innovation strategies for digital careers.

16 **SEC. 6. *Standards for Digital Career Workers.*** – The Department of Labor and  
17 Employment (DOLE) together with the Department of Trade and Industry (DTI), in  
18 consultation with the Bureau of Internal Revenue (BIR), DICT, Department of  
19 Interior and Local Government (DILG), DepEd, CHED, and TESDA shall ensure:

20 (a) Compliance with the prescribed minimum wage for digital career workers  
21 freelancers, or freelance workers;

22 (b) Adoption of simple process for the registration of digital career workers,  
23 freelancers, or freelance workers in the local government level;

24 (c) Adoption of simple process for filing of complaints by digital career workers,  
25 freelancers, or freelance workers;

26 (d) Setting up of minimum requirements for persons to be qualified as digital  
27 career workers in the form of industry-centric certifications or trainings;  
28 and

29 (e) Adoption of simple process and mechanisms for digital career workers,  
30 freelancers or freelance workers in filing taxes and other fees due to the  
31 government.



- 1 (b) Online teaching and tutoring;
- 2 (c) Content creation (writing and copywriting and others);
- 3 (d) Digital marketing (e-Commerce, sales and marketing);
- 4 (e) Creative design, graphic designing, 3D modelling and CAD, game
- 5 development, logo design and illustration, and audio and video
- 6 production;
- 7 (f) Mobile app development;
- 8 (g) Search engine optimization;
- 9 (h) Virtual assistance (administrative support or assistance);
- 10 (i) Branding and public relations, social media coordinator and community
- 11 management;
- 12 (j) Web research, business intelligence and data analytics;
- 13 (k) Transcription and data entry jobs article and blog writing;
- 14 (l) Customer service and technical support;
- 15 (m) Human resource management and systems; and
- 16 (n) Architecture services and other professional services through the Internet.

17 The TESDA shall give updates to all appropriate government agencies and  
18 LGUs, especially its local investment council for purposes for job creation, with the  
19 number of trainees and their respective courses per city or municipality. TESDA shall  
20 also allocate scholarships to various LGUs in accordance with an annual job  
21 generation plan supported local industry in the locality and validated by market or  
22 business research.

23 **SEC. 11. *Skills Map.*** – In order to ensure equal access to training  
24 opportunities, TESDA shall create a skills map geared towards identifying the sectors  
25 in the community that can be effectively and positively benefited by digital careers  
26 training.

27 **SEC. 12. *Digital Skills Training.*** – The DICT shall allocate an appropriate  
28 amount of their annual budget to digital skills training, and other programs to skill,  
29 upskill and re-skill targeted set of citizens in order to equip them with necessary  
30 high-level digital skills. The DICT and TESDA shall ensure that no duplication of  
31 trainings for the same skill level will occur. A qualified citizen is not, however,



1 prohibited from availing of training from the two agencies: *Provided*, That the  
2 trainings are different in terms of level or skill.

### 3 **ARTICLE V**

#### 4 **DEVELOPMENTAL PROGRAMS**

5 **SEC. 13. *Digital Careers Week.*** – The DICT shall designate a Digital Careers  
6 Week every year to promote awareness about the job opportunities in the Digital  
7 Age.

### 8 **ARTICLE VI**

#### 9 **SUPPORT ECOSYSTEM**

10 **SEC. 14. *Digital Libraries and Learning Hubs.*** – The DICT and the National  
11 Library of the Philippines shall promote the role of libraries in improving digital  
12 inclusion and transform these libraries as providers of digital access, training, and  
13 support for digital career workers, freelancers, and freelance workers.

14 **SEC. 15. *Co-Working Agencies or Facilities.*** – Qualified companies may avail  
15 of exemption from specific provisions of the Labor Code and other pertinent law with  
16 respect to digital career workers, freelancers, and freelance workers who are directly  
17 working in their facilities: *Provided*, That these workers are covered by independent  
18 contractor agreements, as defined under pertinent laws.

### 19 **ARTICLE VII**

#### 20 **IMPLEMENTING GUIDELINES**

21 **SEC. 16. *Implementing Rules and Regulations.*** – Within six (6) months from  
22 the effectivity of this Act, the DOLE and the DICT shall promulgate the necessary  
23 rules and regulations for the implementation of this Act.

### 24 **ARTICLE VIII**

#### 25 **GENERAL PROVISIONS**

26 **SEC. 17. *Appropriations.*** – The amount necessary for the implementation of  
27 the provisions of this Act shall be included in the General Appropriations Act for the  
28 year following the approval of this Act.

29 **SEC. 18. *Repealing Clause.*** – All other laws, decrees, executive orders and  
30 rules and regulations contrary to or inconsistent with the provisions of this Act are  
31 hereby repealed or modified accordingly.

1           **SEC. 19. *Separability Clause*** – If any provision of this Act is held invalid or  
2 unconstitutional, the same shall not affect the validity and effectivity of the other  
3 provisions hereof.

4           **SEC. 20. *Effectivity*** – This Act shall take effect fifteen (15) days after its  
5 publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*