

NINETEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session

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SENATE

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SENATE BILL NO. 2569

Prepared and submitted jointly by the Committees on Higher, Technical and Vocational Education; Labor, Employment and Human Resources Development; and Finance with Senators Villar (M.), Escudero, Estrada and Angara as authors thereof

AN ACT

ESTABLISHING A TRIPARTITE COUNCIL TO ADDRESS UNEMPLOYMENT, UNDEREMPLOYMENT AND JOB-SKILLS MISMATCH, AND APPROPRIATING FUNDS THEREFOR"

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

Section 1. *Declaration of Policy*. – It is declared the policy of the State to reduce the levels of unemployment and underemployment, increase productivity, and improve the standards of living in the country through the sustained development of a skilled citizenry and maintenance of a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high-level technical manpower, and skilled workers and craftsmen in all fields.

To this end, the State shall ensure the relevance and adequacy of academic programs of higher education institutions (HEIs) and training programs offered in technical-vocational institutions (TVIs) in relation to the needs and requirements of the business and industry sectors and the over-all human resource requirement of the country pursuant to its socioeconomic development goals.

Sec. 2. *Creation of a Tripartite Council.* – There is hereby established a Tripartite Council, hereinafter referred to as the Council, that shall formulate policies and programs to address the problems of unemployment, underemployment and job-skills mismatch in the country. It shall be a coordinating body among the government, academe and industry sectors to primarily monitor economic trends in

the global and domestic markets, including those pertaining to business and commerce and the local labor market, and to generate information relative to employment, unemployment, underemployment, and job-skills mismatch. The Council shall be made up of representatives from the government, academe, and industry.

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6 The government representatives shall be composed of the following: a Commissioner of the Commission on Higher Education (CHED); a Deputy Director-7 General of the Technical Education and Skills Development Authority (TESDA); an 8 9 Undersecretary of the Department of Education (DepEd); an Undersecretary of the Department of Labor and Employment (DOLE); an Undersecretary of the 10 Department of Science and Technology (DOST); an Undersecretary of the 11 Department of Trade and Industry (DTI); a Commissioner of the Civil Service 12 Commission (CSC); and a Commissioner of the Professional Regulation Commission 13 (PRC). 14

The representatives of the academe shall be composed of the presidents of 15 the federations of public and private HEIs, public and private TVIs, and accreditation 16 bodies of higher and technical-vocational educational institutions, which shall include 17 the following: Philippine Association of State Universities and Colleges; Association of 18 Local Colleges and Universities; Coordinating Council of Private Educational 19 20 Associations; Technical-Vocational Schools and Associations of the Philippines; National Network of Quality Assurance Agencies; and the Federation of Accrediting 21 Agencies of the Philippines. 22

The representatives of the industry sector shall be composed of the 23 presidents of the following business and industry federations: Philippine Chamber of 24 Commerce and Industry; Joint Foreign Chambers of the Philippines; Employers 25 Confederation of the Philippines; Semiconductor and Electronics Industries in the 26 Philippines Foundation, Incorporated; Information Technology and Business Process 27 Association of the Philippines; Philippine Business for Education; Management 28 Association of the Philippines; Philippine Business for Social Progress; and the People 29 30 Management Association of the Philippines.

The Council shall be headed by a CHED Commissioner as Chairperson, and the Deputy Director-General of the TESDA shall be its Vice-Chairperson. The members of the Council, except for the ex officio members, shall receive per diem for every meeting attended in accordance with existing rules and regulations. The Council shall be attached to the CHED for administrative and budgetary purposes.

6 The CHED shall provide a secretariat to the Council to be manned by the 7 organic personnel of the CHED and may be augmented by the employees from the 8 member-agencies of the Council through detail or secondment.

9 For the effective performance of its functions, the Council may, upon the 10 recommendation of the CHED and the TESDA, revise the composition of its 11 members.

Sec. 3. *Powers and Functions of the Council*. – The Council shall have the
 following specific powers and functions:

a) Monitor the trends in the domestic and international labor market *vis-à-vis* the incidence of unemployment, underemployment and the job-skills mismatch in the country;

b) Formulate short-term and long-term policies, plans and programs that shall address job-skills mismatch, unemployment, and underemployment;

c) Conduct an inventory, review and evaluation of courses, academic programs and curricula of public and private HEIs and technical education and training programs of TVIs;

d) Conduct an assessment of qualifications, skills and competencies of students and graduates of higher education courses and technical-vocational education and training and benchmark these with national and international standards such as the Philippine Qualifications Framework, Association of Southeast Asian Nations Qualifications Reference Framework, and other relevant frameworks and international agreements to which the Philippines is a signatory.

e) Conduct an inventory of job specifications and skills requirement of various industries;

f) Recommend to the President of the Philippines, Congress and other
government institutions such policies to address the problems of unemployment,
underemployment and job-skills mismatch;

g) Request the assistance of government agencies in the performance of itsduties and functions;

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h) Hold regular quarterly meetings; and

i) Perform such other functions as may be necessary for its effectiveoperation to achieve the objectives of this Act.

9 Sec. 4. *Annual Report and Assessment*. - Upon effectivity of this Act, the 10 Council shall submit an annual report to Congress on the status of employment of 11 college students and new HEI or TVI graduates for the last five (5) years, as well as 12 an assessment of the trends in the labor market and the skills required by various 13 industries and business establishments.

14 Sec. 5. *Appropriations*. – The amount necessary for the effective 15 implementation of this Act shall be included in the annual General Appropriations 16 Act.

Sec. 6. *Implementing Rules and Regulations.* – Within sixty (60) days after the effectivity of this Act, the CHED shall, in coordination with the TESDA, DepEd, DOLE, DOST, DTI, CSC, and PRC, as well as other education stakeholders, promulgate the rules and regulations for the effective implementation of this Act.

Sec. 7. *Separability Clause*. – If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

Sec. 8. *Repealing Clause*. – All laws, acts, decrees, executive orders, issuances, and rules and regulations or parts thereof which are contrary to and inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 9. *Effectivity.* – This Act shall take effect immediately following its
 publication in the *Official Gazette* or in a newspaper of general circulation.
 Approved,

CONGRESS OF THE PHILIPPINES NINETEFNTH CONGRESS *First Regular Session*

HOUSE OF REPRESENTATIVES

H. No. 7370

BY REPRESENTATIVES GO (M.), AGARAO, RILLO, MERCADO-REVILLA, ROQUE, DALOG, DOMINGO, YU (J.V.), VERZOSA, CAOAGDAN, CAGAS, GARDIOLA, RODRIGUEZ (E.), ORTEGA, TULFO (R.W.), LARA, BORDADO, PADIERNOS, EUDELA, ADVINCULA, GALEOS, SALO, BUHAIN, BARZAGA, TUTOR, CO-PILAR, GULLAS, ABALOS, BALINDONG, PUMAREN, CARI, ONGCHUAN, AQUINO, CO (E.), ACIDRE, BARONDA, BOLILIA, PALMA, PRIMICIAS-AGABAS, SUAREZ, HERRERA, QUIMBO, ABANTE, ALONTE, ALVAREZ (M.), ALVAREZ (J.), ARENAS, BAUTISTA-LIM, BERNOS, BONGALON, CABREDO, CAMPOS, CELESTE, CO (A.N.), CUA, CUARESMA, DE VENECIA, DEL MAR, FUENTEBELLA, GO (E.C.), GONZAGA, HARESCO, LACSON, NAVA, SALIMBANGON, TIANGCO, UMALI, VARGAS-ALFONSO, VILLARAZA-SUAREZ, VIOLAGO, ZAMORA (M.C.), ZUBIRI, ADIONG, AMANTE, ANG, ASISTIO, ATAYDE, AUMENTADO, BASCUG, BOSITA, CHATTO, COJUANGCO (J.), CRUZ (A.), CRUZ (R.), DAGOOC, DIMAPORO (S.A.), FORTES, FRESNEDI, GARCIA (D.), GARCIA (M.A.), GUTIERREZ, HERNANDEZ, KHONGHUN, LAGON (D.), LAGON (S.), LAZATIN, MACEDA, MAGSINO, MANIQUIZ, MATIBAG, MERCADO, NOGRALES (M.I.), OUANO-DIZON, PADUANO, PANALIGAN, PANCHO, PLAZA, PLEYTO, REVILLA (R.J.), SALI, TALLADO, TULFO (J.), UNABIA, VARGAS, VERGARA, VILLAFUERTE (M.L.), YAP (C.), BENITEZ, CORVERA, DUTERTE, ECLEO, FLORES, GOMEZ, GUINTU, KHO (R.), MARIANO-HERNANDEZ, MARIÑO, ORDANES, REVILLA (B.), ROMULO, SALCEDA, SAULOG, SILVERIO, SORIANO, TOLENTINO, VELOSO TUAZON, VILLAFUERTE (L.R.), YAP (EDVIC), DALIPE, MARCOS, LACSON-NOEL, DELOS SANTOS, OAMINAL, DY (F.), ADVINCULA, SANTOS, SUANSING (M.A.), TEODORO, ZAMORA (Y.M.), ARBISON, ZAMORA (A.M.), ESCUDERO, TAN (K.M.), ACHARON, LIBANAN, DAZA, MADRONA, ALVAREZ (M.), OLIVAREZ, RODRIGUEZ (R.), DIMAPORO (M.K.), TANJUATCO, YU (D.G.) AND VILLARICA, PER COMMITTEE REPORT NO. 360

AN ACT

CREATING A TRIPARTITE COUNCIL TO ADDRESS UNEMPLOYMENT, UNDEREMPLOYMENT, AND THE JOB-SKILLS MISMATCH PROBLEM IN THE COUNTRY, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Declaration of Policy. – It is declared the policy of the State to promote the sustained development of a skilled citizenry and maintain a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high-level technical manpower, and skilled workers and craftsmen in all fields. Skills development can reduce unemployment and underemployment, increase productivity, and improve the standards of living.

To this end, the State shall ensure the relevance and adequacy of academic courses in the higher education curriculum and training programs offered in technical-vocational institutions in relation to the needs and requirements of the business and industry sectors and the over-all human resource requirement of the country pursuant to its economic development goals.

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SEC. 2. Creation of a Tripartite Council. - There is hereby established a Tripartite 14 Council, hereinafter referred to as the Council, that shall formulate policies and programs to 15 16 address the job-skills mismatch in the country. It shall be a coordinating body among the 17 government, academe and industry sectors to primarily monitor economic trends in the global 18 and domestic markets, including those pertaining to business and commerce and the local labor market, and to generate information relative to employment, 19 unemployment, underemployment, and job-skills mismatch. The Council shall be made up of representatives 20 from the government, academe, and industry. 21

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The government representatives shall be composed of the following: a Commissioner of the Commission on Higher Education (CHED); a Deputy Director-General of the Technical Education and Skills Development Authority (TESDA); an Undersecretary of the Department of Education (DepEd); an Undersecretary of the Department of Labor and Employment (DOLE); and an Undersecretary of the Department of Trade and Industry (DTI).

29 The representatives of the academe shall be the presidents of the federations of public 30 and private higher education institutions (HEIs), public and private technical-vocational 31 institutions (TVIs), and accreditation bodies of higher and technical-vocational educational 32 institutions, which include the following: Philippine Association of State Universities and Colleges: Association of Local Colleges and Universities; Coordinating Council of Private 33 34 Educational Associations; Technical-Vocational Schools and Associations of the Philippines; National Network of Quality Assurance Agencies; and the Federation of Accrediting Agencies 35 36 of the Philippines.

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The representatives of the industry sector shall be the presidents of the following
 business and industry federations: Employers Confederation of the Philippines; Makati
 Business Club; Semiconductor and Electronics Industries in the Philippines Foundation,
 Incorporated; Information Technology and Business Process Association of the Philippines;

- 1 Philippine Business for Education; Management Association of the Philippines; Philippine 2 Business for Social Progress; and the People Management Association of the Philippines. 3 4 The Council shall be headed by a CHED Commissioner as Chairperson, and the Deputy 5 Director-General of the TESDA shall be its Vice-Chairperson. 6 The members of the Council, except for the *ex officio* members, shall receive *per diem* 7 for every meeting attended in accordance with existing rules and regulations. 8 9 The Council shall be attached to the CHED for administrative and budgetary purposes. 10 The CHED shall provide a secretariat to the Council to be manned by the organic 11 12 personnel of the CHED and may be augmented by the employees from the member-agencies 13 of the Council through detail or secondment. 14 SEC. 3. Powers und Functions of the Council. - The Council shall have the following 15 16 specific powers and functions: 17 a) Monitor the trends in the labor market, both domestic and international, and the 18 incidence of unemployment, underemployment and the job-skills mismatch problem in 19 20 the country; 21 b) Formulate short-term and long-term policies, plans and programs that shall address job-22 skills mismatch, unemployment, and underemployment; 23 24 c) Conduct an inventory, review and evaluation of courses, academic programs and 25 curricula of public and private HEIs and training programs implemented by TVIs; 26 27 d) Conduct an assessment of qualifications, skills and competencies of students and 28 graduates of higher education courses and technical-vocational education and training 29 and benchmark these with national and international standards such as the Philippine 30 Oualifications Framework, Association of Southeast Asian Nations Qualifications 31 Reference Framework, other frameworks, and international agreements to which the 32 Philippines is a signatory; 33 34 e) Conduct an inventory of job specifications and skills requirement of various industries; 35 36 Recommend to the President of the Philippines, Congress and other government 37 £ institutions policy measures that need to be undertaken in addressing the problems of 38 unemployment, underemployment and job-skills mismatch: 39 40 41 g) Hold regular quarterly meetings; and 42 h) Perform such other functions as may be necessary for its effective operation to achieve 43 the mandate of this Act. 44 45 SEC. 4. Annual Report and Assessment. - Upon the effectivity of this Act, the Council 46 shall submit an annual report to Congress on the status of employment of college students and 47
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new graduates for the last five years, as well as an assessment of the trends in the labor market
 and the skills required by various industries and business establishments.

SEC. 5. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 6. *Implementing Rules and Regulations.* – Within ninety (90) days after the effectivity of this Act, the CHED shall, in coordination with the TESDA, DepEd, DTI and DOLE, as well as other education stakeholders, issue the rules and regulations for the effective implementation of this Act.

SEC. 7. Separability Clause. – If, for any reason, any portion or provision of this Act
 shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall
 continue to be in full force and effect.

SEC. 8. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and
 regulations, issuances or parts thereof, which are inconsistent with the provisions of this Act,
 are hereby repealed, amended or modified accordingly.

19 SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
 20 in the *Official Gazette* or in a newspaper of general circulation.

Approved,

NINETEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session

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SENATE S. No. _2333

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Introduced by Senator MARK A. VILLAR

AN ACT

CREATING A TRIPARTITE COUNCIL TO ADDRESS UNEMPLOYMENT, UNDEREMPLOYMENT, AND THE JOB-SKILLS MISMATCH PROBLEM IN THE COUNTRY, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Job-skills mismatch is a situation where there are more jobs available than there are qualified jobseekers, or a mismatch between qualifications and available positions. Despite the high employment rate, forty percent (40%) of Filipino employees are overqualified for their jobs with academic credentials beyond what is needed in their jobs yet earning only five percent (5%) more for finishing their education according to a study by the Philippine Institute for Development Studies (PIDS). Also, jobseekers accept jobs that require less skills than what they trained for, most likely because they took a college degree program with little demand in the job market.

According to the Philippine Business for Education, job-skills mismatch in the Philippines is a huge problem that stems from years of disconnect. It is largely contributory to unemployment and underemployment in the Philippines, which prevents the State from fully maximizing the potential of our young workforce. Employers are actively hiring yet many vacancies remain unfilled. As such, many people still have difficulty finding jobs.

This proposed bill seeks to address this problematic situation of jobs and skills mismatch that has plagued our fresh graduates and the workforce.

Through this bill, a Jobs-Skills Mismatch Resolution Tripartite Council will be created which will formulate policies and programs to address this issue. It shall conduct an inventory, review, and evaluate courses, academic programs, and curricula of public and private higher educational institutions (HEIs) without violating their academic freedom, and the training programs in Technical Vocational Institutions. It will have an assessment of the qualifications, skills and competencies of students and graduates of higher education courses and technical-vocational education and training or TVET. This shall be a needs-basis inventory of job specifications and skills requirement of various industries. Ultimately, the council will serve all sectors of the workforce, may it be government or private.

The Council shall be composed of representatives from the government, academe, and industry sectors. It shall be attached to the Commission on Higher Education (CHED) for administrative and budgetary purposes.

This bill is a step closer in addressing the problem of unemployment, underemployment, and job-skills mismatch in the country will soon be addressed.

Therefore, passage of this bill is earnestly sought.



NINETEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session

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SENATE

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S. No. <u>2333</u>

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7 The State shall ensure the relevance and adequacy of academic courses in the 8 higher education curriculum and training programs offered in technical-vocational 9 institutions in relation to the needs and requirements of the business and industry 10 sectors and the over-all human resource requirement of the country pursuant to its 11 economic development goals.

Sec. 2. *Creation of a Tripartite Council.* — A Tripartite Council, hereinafter referred to as the Council, shall be established that shall formulate policies and programs to address the job-skills mismatch in the country. It shall be a coordinating body among the government, academe and industry sectors to primarily monitor economic trends in the global and domestic markets, including those pertaining to
business and commerce and the local labor market, and to generate information
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The Council shall be made up of representatives from the government, academe, and
industry.

6 The government representatives shall be composed of the following: A 7 Commissioner of the Commission on Higher Education (CHED); a Deputy Director-8 General of the Technical Education and Skills Development Authority (TESDA); an 9 Undersecretary of the Department of Education (DepEd); an Undersecretary of the 10 Department of Labor and Employment (DOLE); a Commissioner of the Civil Service 11 Commission (CSC); and an Undersecretary of the Department of Trade and Industry 12 (DTI).

The representatives of the academe shall be the presidents of the federations 13 of public and private higher education institutions (HEIs), public and private technical-14 vocational institutions (TVIs), and accreditation bodies of higher and technical-15 vocational educational institutions, which include the following: Philippine Association 16 of State Universities and Colleges; Association of Local Colleges and Universities; 17 Coordinating Council of Private Educational Associations; Technical-Vocational Schools 18 and Associations of the Philippines; National Network of Quality Assurance Agencies; 19 and the Federation of Accrediting Agencies of the Philippines. 20

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The Council shall be headed by a CHED Commissioner as Chairperson, and the Deputy Director-General of the TESDA shall be its Vice-Chairperson.

1 The members of the Council, except for the *ex officio* memers, shall receive *per* 2 *diem* for every meeting attended in accordance with existing rules and regulations.

The Council shall be attached to CHED for administrative and budgetary purposes.

5 The CHED shall provide a secretariat to the Council to be manned by the organic 6 personnel of the CHED and may be augmented by the employees from the member-7 agencies of the Council through detail or secondment.

8 Sec. 3. *Powers and Functions of the Council.* --- The Council shall have the 9 followins specific powers and functions:

- a) Monitor the trends in the labor market, both domestic and international, and
 the incidence of unemployment, underemployment and the job-skills
 mismatch problem in the country;
- b) Formulate short-term and long-term policies, plans and programs that shall
 address job-skills mismatch, unemployment, and underemployment;
- c) Conduct an inventory, review and evalutation of courses, academic
 programs and curricula of public and private HEIs and training programs
 implemented by TVIs;
- d) Conduct an assessment of qualifications, skills and competencies of students and graduates of higher education courses and technicalvocational education and training and benchmark these with national and international standards such as the Philippine Qualifications Framework, Association of Southeast Asian Nations Qualifications Reference Framework, other frameworks, and international agreements to which the Philippines is a signatory;
- e) Conduct an inventory of job specifications and skills requirement of various
 industries;
- f) Recommend to the President of the Philippines, Congress and other
 government institutions policy measures that need to be undertaken in
 addressing the problems of unemployment, underemployment and job-skills
 mismatch;

1 g) Hold regular quarterly meetings; and

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 h) Perform such other functions as may be necessary for its effective operation to achieve the mandate of this Act.

Sec. 4. *Annual Report and Assessment.* — Upon effectivity of this Act, the Council shall submit an annual report to Congress on the status of employment of college students and new graduates for the last five years, as well as an assessment of the trends in the labor market and the skills required by various industries and business establishments.

9 Sec. 5. *Implementing Rules and Regulations.* – Within ninety (90) days after 10 the effectivity of this Act, the CHED shall, in coordination with the TESDA, DepEd, DTI, 11 DOLE, and CSC, as well as other education stakeholders, issue the rules and 12 regulations for the effective implementation of this Act.

Sec. 6. *Appropriations.* – The amount necessary for the implementation of this
 Act shall be included in the annual General Appropriations Act.

Sec. 7. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

Sec. 8. *Repealing Clause.* – All laws, executive orders, presidential decrees, presidential proclamations, letter of instruction, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

22 Sec. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its 23 publication in the Official Gazette or in a newspaper of general circulation.

Approved,