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

10 JUL -1 P2:29

SENATE
S. No. 88

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 9 provides that:

> SEC. 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and 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.

The global financial crisis has led to many companies suffering serious business losses locally and abroad. As a result, many employees are laid off to counteract the losses. Such employees then find a hard time immediately getting employment. Without any immediate prospects, these employees, especially those who support their own families are at a loss as to the source of their livelihood. Not only are their productivity wasted, but they end up joining the ranks of countless countrymen in poverty. An option to maintain a part-time employment while looking for a new employment will go a long way in easing out the impact of the global financial crisis while conserving the productivity of both the employer and the employee.

This bill mandates the Secretary of Labor and Employment to conduct a research on part-time employment in lieu of retrenchment option for employers suffering business losses. By determining the best business practices and recommending the most optimal government support for both the employers and the employees concerned, we will be able to weather out the ongoing global financial crisis.

MIRIAM DEFENSOR SANTIAGO

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AN ACT
MANDATING THE SECRETARY OF LABOR AND EMPLOYMENT TO CONDUCT RESEARCH ON PART-TIME EMPLOYMENT IN LIEU OF RETRENCHMENT

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

SECTION 1. *Research.* – Not later than one year after the effectivity of this Act, the Secretary of Labor and Employment shall conduct a research on part-time employment in lieu of retrenchment for employers seeking authorization from the Department of Labor and Employment (DOLE) to retrench to prevent business losses.

SECTION 2. *Contents of the Research Report.* – The report for the research conducted under Section 1 shall contain the following:

A. a study of part-time employment programs for employers seeking retrenchment to prevent losses;
B. an analysis of the significant impediments to legislation and creation of such programs;
C. a model part-time employment program for employers who are suffering business losses;
D. a listing of possible assistance the DOLE can extend to such employers;
E. recommendations for legislation as to how this option can be introduced in the Philippine labor system; and
F. such recommendations as the Secretary determines appropriate.

SECTION 3. *Term.* – The duration of the research conducted under Section 1 shall not be more than five years.

SECTION 4. *Report.* – The Secretary shall submit the research report under Section 2 to the appropriate committees in the Senate and the House of Representatives no later than six months following the completion of the research.

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

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

SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

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