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REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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SENATE

S. NO. 412

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Persons with disabilities play significant role in Philippine society. Their rights and privileges must be protected and equal opportunities must be afforded to them to develop their abilities in all fields of human endeavor. The State, moreover, must adopt policies to ensure their rehabilitation, self-development and self-reliance. It must develop their skills and potentials to enable them to compete favorably for available opportunities.

A number of disabled persons, however, are still unable to compete successfully in the country's open competitive merit examinations. This bill, therefore, seeks to give opportunity to demonstrate their employment abilities by virtue of temporary noncompetitive appointments into the government service. Here, participation of a supported employee will not be based on the expectation that an individual will have the skills to perform all the duties in a job class, but on the assumption that with support and adaptation, or both, a job can be designed to take advantage of the supported employee's special strengths. With this bill, improvement of their total well-being and their integration into the mainstream of society are expected.

In light of the foregoing, immediate approval of this bill is earnestly requested.




ANTONIO "SONNY" F. TRILLANES IV
Senator

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SENATE

S. NO. 412

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROVIDING FOR A SUPPORTED EMPLOYMENT PROGRAM FOR PERSONS WITH
DISABILITIES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "***Supported Employees Act.***"

2

3 **SEC. 2. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

4 (a) "***Agency***" means those Departments, Boards, Commissions and Authorities of the government
5 and are subject to the provisions and requirements of the Civil Service Commission,

6 (b) "***Commission***" refers to the Civil Service Commission.

7 (c) "***Chairman***" means the Chairperson of the Civil Service Commission.

8 (d) "***Supported employee***" means any individual who:

9 (1) has a severe physical *or* mental disability which seriously limits functional capacities
10 including but not limited to mobility, communication, self-care, self-direction, work
11 tolerance or work skills, in terms of employability

12 (2) has one or more physical or mental disabilities resulting from amputation; arthritis;
13 blindness; cancer; cerebral palsy; deafness; heart disease; hemiplegia; respiratory or
14 pulmonary dysfunction; mental retardation; mental illness; multiple sclerosis; muscular

1 dystrophy; musculoskeletal disorders; neurological disorders, including stroke and epilepsy;
2 paraplegia; quadriplegia and other spinal cord conditions; sickle cell anemia; and end-stage
3 renal disease; or another disability or combination of disabilities determined on the basis of
4 an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

5 (e) "*Supported employment*" means competitive work in integrated work settings:

6 (1) for individuals with severe disabilities for whom competitive employment has not
7 traditionally occurred, or

8 (2) for individuals for whom competitive employment has been interrupted or intermittent as
9 a result of a severe disability, and who because of their disability, need on-going support
10 services to perform such work. The term includes transitional employment for individuals
11 with chronic mental illness.

12 (f) "*Participation in a supported employee program*" means participation as a supported
13 employee that is not based on the expectation that an individual will have the skills to perform all
14 the duties in a job class, but on the assumption that with support and adaptation, or both, a job
15 can be designed to take advantage of the supported employee's special strengths.

16 (g) "*Funder*" means any entity either State or private, not for profit or for profit, that provides
17 monies to programs that provide services related to supported employment.

18 (h) "*Provider*" means any entity either public or private that provides technical support and
19 services to any department or agency subject to the control of the national government, the
20 Chairman of the Civil Service Commission.

21

1 **SEC. 3. *Supported Employment Program.*** - The Commission, working with any funder
2 or provider or both, shall seek the cooperation, assistance and participation of all government
3 agencies in the development and implementation of a supported employment program.

4
5 **SEC. 4. *Job Classifications for Supported Employees.*** - The Commission shall establish
6 job classifications for supported employees who may be appointed into the classifications by
7 agencies without open competitive testing requirements. Supported employees shall serve in a
8 trial employment capacity for not less than 3 or more than months.

9
10 **SEC. 5. *Appointment into Permanent Positions.*** - Upon successful completion of the
11 supported employment trial period, the agencies will petition the Commission for appointment of
12 the participants into permanent targeted government positions.

13 The Commission will place the supported employees on open competitive eligible listings
14 (supported employment option) for the targeted position titles. After which, the Commission will
15 refer the names of the supported employees to the employer agencies for probationary
16 appointment into permanent targeted positions.

17
18 **SEC. 6. *Record.*** - The Commission shall maintain a record of all individuals hired as
19 supported employees by the government agencies. The record shall include:

- 20 (1) the number of supported employees initially appointed by the agencies;
21 (2) the number of supported employees who successfully complete the trial employment periods
22 by the agencies; and
23 (3) the number of permanent targeted positions by titles and agencies.

1 The Department shall submit an annual report to the General Assembly regarding the
2 employment progress of supported employees, with recommendations for legislative action.

3

4 **SEC. 7. *Repealing Clause.*** - All laws, presidential decrees, executive orders and other
5 issuances, and rules and regulations, or part thereof, contrary to or inconsistent with any
6 provision of this Act, are hereby repealed, modified or amended accordingly.

7

8 **SEC. 8. *Separability Clause.*** - Should any provision of this Act be found
9 unconstitutional by a court of law, such provision shall be severed from the other provisions, and
10 the same shall not affect the enforceability and effectivity of the remaining provisions of this
11 Act.

12 **SEC. 9. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its complete
13 publication in any two (2) national newspapers of general circulation.

Approved,