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Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS

First Regular Session

38

HOUSE BILL No. _____

Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

AN ACT

**PROVIDING INDIGENT JOB SEEKERS, DISCOUNTED OR WAIVED FEES AND
CHARGES IN THE ISSUANCE OF CERTAIN PRE-EMPLOYMENT DOCUMENTS
ISSUED BY GOVERNMENT AGENCIES**

EXPLANATORY NOTE

No other than the 1978 Constitution recognizes the importance of liberating the people from poverty, particularly under Article II, Section 9, which expressly provides that the State shall promote just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

This measure recognizes that unemployment and underemployment continue to affect a substantial portion of the Filipino populace, particularly the poor and marginalized sectors. Often than not, the cost of obtaining pre-employment documents from various Government agencies, becomes not just a financial burden to the less fortunate, but ultimately a discouraging force from that prevents potential members of the workforce from pursuing employment opportunities, thus placing them in a never-ending cycle of poverty.

With the foregoing in view, this proposed measure becomes an act of compassion and investment in the Philippine nation's human capital. It is designed to alleviate the problem of those who have less in life, by giving them the support that they are rightfully entitled to, that from our very own Government.

In view of this, the passage of this measure is earnestly sought.



HON. ERNESTO "ERNIX" M. DIONISIO, JR.
Representative
First Congressional District of Manila



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

SECTION 1. Short Title. - This Act shall be known as the "Kabalikat sa Hanapbuhay Act."

SECTION 2. Declaration of Policy. - It is the policy of the State to promote a just and dynamic 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.

Further, the State shall strive for a more equitable distribution of opportunities, decent jobs, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people, and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

To this end, the State shall provide indigent job seekers a twenty percent (20%) discount in the payment of fees and charges or waived fees for certain certificates and clearances issued by government agencies.

SECTION 3. Identification of Beneficiaries. - As used in this Act, an indigent job seeker refers to a person who is seeking gainful employment and has no visible means of income or whose income falls below the official poverty threshold, as identified by the National

Economic and Development Authority and/or cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing and other essential amenities of life.

The PSA, based on the criteria set under the Community-Based Monitoring System (CBMS) as established under Republic Act No. 11315, otherwise known as the "Community-Based Monitoring System Act", shall validate the list of indigent households in the Listahanan of the Department of Social Welfare and Development identify indigent individuals. The Local Social Welfare Development Officer (LSWDO) of the city/municipality or any equivalent unit of the municipality where the indigent job seeker resides is authorized to issue a Certificate of Indigency based on the latest CBMS data, abovementioned criteria and established guidelines, as proof of eligibility of job seekers in availing the privileges provided for under this Act. Such certification shall be free of charge.

For purposes of identifying indigent job seekers, any other unified targeting system duly agreed upon by the Inter-Agency Coordinating and Monitoring Committee may be used in the future.

An indigent job seeker whose household is enrolled under the seven-year period "Pantawid Pamilyang Pilipino Program (4Ps)", shall be automatically considered as "indigent" and eligible to avail of the privileges under this Act.

First time job seekers who avail of waived government fees and charges in the issuance of pre-employment documents under Republic Act No. 11261, otherwise known as the "First Time Jobseekers Assistance Act" are not covered by this Act.

SECTION 4. Twenty Percent (20%) Discount on Fees and Charges for Clearances and Certificates. - Indigent job seekers, whether here or abroad, shall be granted a twenty percent (20%) discount in the payment of fees and charges for the following clearances and certificates requisite for pre-employment application:

- (a) Clearance from the barangay where the job seeker resides;
- (b) Clearance from the National Bureau of Investigation (NBI);
- (c) National Police Clearance from the Philippine National Police (PNP);
- (d) Medical certificate for local employment from any government hospital licensed by the Department of Health (DOH), and medical certificate for foreign employment from any DOH-accredited medical facility for overseas workers and seafarers;
- (e) Certificate of marriage from the Philippine Statistics Authority (PSA);
- (f) Certificate of live birth from the PSA;
- (g) National Certificate and Certificate of Competency (COC) from the Technical Education and Skills Development Authority (TESDA);
- (h) Certificate of Civil Service Eligibility from the Civil Service Commission (CSC); and

- (i) Other documentary requirements issued by the government that may be required by employers from indigent job seekers, as determined and approved by the Inter-Agency Coordinating and Monitoring Committee established in Section 6 of this Act.

SECTION 5. Waiver of Fees and Charges for Pre-Employment Documents. - The fees and charges required to acquire the following pre-employment documents and cards shall be waived:

- (a) Tax Identification Number from the Bureau of Internal Revenue; and
- (b) Transcript of Records, Transfer Credentials, Authenticated Copy of Diploma, and Certificate of Good Moral Character from the State Universities and Colleges, and Local Universities and Colleges of the job seeker.

The indigent job seeker may avail of the privileges of waived or discounted fees under this Act only once every six (6) months from each government agency.

SECTION 6. Prohibited Acts and Penalties. - (a) Any public officer or employee who refuses or fails to issue a Certificate of Indigency, or to provide the benefit granted to the indigent job seeker in violation of Sections 4 and 5 of this Act shall, upon conviction, be subject to a fine of not less than Five thousand pesos (P5,000) but not more than twenty thousand pesos (P20,000). The penalty of temporary disqualification to hold public office for a period of five (5) years shall also be imposed.

(b) A job seeker who misrepresents or falsifies any document to avail of benefits provided under this Act or abuses the privilege granted herein shall be prosecuted and punished in accordance with the pertinent provisions of Republic Act No. 3815, as amended, otherwise known as the "Revised Penal Code", and shall suffer perpetual disqualification in availing the privileges under this Act.

Administrative sanctions shall be imposed without prejudice to prosecution as provided for in this Act.

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

SECTION 7. Indigent Job Seekers Database. - The Public Employment Service Office in coordination with the LSWDO shall establish and maintain a database system containing an updated roster of all indigent job seekers who availed of the benefits under this Act.

The PhilJobnet platform of the Department of Labor and Employment (DOLE) shall serve as the monitoring mechanism to record, monitor, and report the availment of the benefits granted to indigent job seekers.

SECTION 8. Non-Authority to Charge Fees. - Other government agencies that do not charge fees in relation to the discharge of their functions cannot use this law to impose fees if no such authority is granted under their respective charter or other relevant laws.

SECTION 9. Interagency Coordinating and Monitoring Committee. - An Interagency Coordinating and Monitoring Committee, hereinafter referred to as the Committee, shall be established to coordinate and monitor the implementation of this Act.

The Committee shall be composed of the Secretary of the Labor and Employment or the authorized representative, as Chairperson; Secretary of Interior and Local Government or his authorized representative, as Vice Chairperson; and the following as members: Secretary of Migrant Workers or his authorized representative; National Statistician and Civil Registrar General of the PSA or his authorized representative; Chief of the PNP or his authorized representative; Director of the NBI or his authorized representative; Secretary of DOH or his authorized representative; Chairperson of the Commission on Civil Service (CSC) or his authorized representative; Chairperson of the Commission on Higher Education (CHED) or his authorized representative; Director-General of TESDA or his authorized representative; Presidents of the Liga ng mga Barangay, League of Municipalities of the Philippines, and League of Cities of the Philippines or their authorized representatives; Lead Convenor of the National Anti-Poverty Commission (NAPC) or his authorized representative; and Chairperson of the National Commission on Indigenous Peoples (NCIP) or his authorized representative.

The Committee shall have the following functions:

- (a) To coordinate, monitor and evaluate the implementation of this Act;
- (b) To make recommendations for concerned agencies to ensure the effective and efficient delivery of services in providing the benefits for indigent job seekers under this Act;
- (c) To identify and approve other pre-employment certificates and clearances;
- (d) To invite other agencies to be members of the Committee;
- (e) To review, evaluate, and amend accordingly the clearances and certificates covered under this Act; and
- (f) To submit an annual report to Congress on the implementation of this Act.

SECTION 10. Joint Congressional Oversight Committee. - Upon the effectivity of this Act, a Joint Congressional Oversight Committee is hereby constituted. The JCOC shall set the overall framework to review the implementation of this Act. It shall likewise recommend necessary remedial legislation, for a period not exceeding three (3) years.

The JCOC shall be composed of fourteen (14) members with the chairpersons of the Committee on Poverty Alleviation of the House of Representatives, and of the Committee on Social Justice, Welfare and Rural Development of the Senate as Co-Chairpersons, and six (6) members from each House, to be designated by the Speaker of the House of Representatives, and the Senate President, respectively. The Secretariat of the JCOC shall be drawn from the existing personnel of the Committee on Poverty Alleviation of the

House of Representatives, and the Committee on Social Justice, Welfare and Rural Development of the Senate.

SECTION 11. Implementing Rules and Regulations. - Within six (6) months after the effectivity of this Act, the DOLE shall, in consultation with the Department of the Interior and Local Government, Department of Migrant Workers, PSA, PNP, NBI, DOH, CSC, CHED, TESDA, Leagues of Barangay, Municipalities, and Cities, NAPC and NCIP, promulgate the rules and regulations to implement this Act.

SECTION 12. Separability Clause. - If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions hereof, not otherwise affected, shall remain in full force and effect.

SECTION 13. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, amended or modified accordingly.

SECTION 14. Repealing Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,