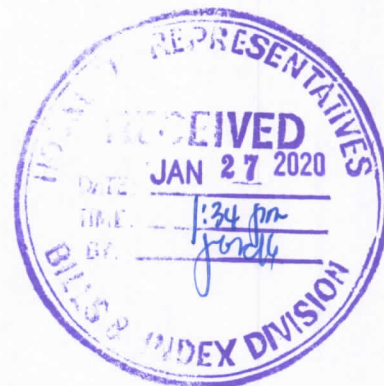


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6055



Introduced by HON. ALETA C. SUAREZ

EXPLANATORY NOTE

Healthy ageing, according to the World Health Organization, deals with “*creating environments and opportunities that enable people to be and do what they value throughout their lives.*”¹ This does not only concern physiological or medical aspects but also the economic capability of the elderly, particularly their productivity and ability to contribute to society.

Upon reaching the age of sixty, the focus of the elderly population shifts mostly to retirement. However, not all senior citizens are able to disengage from work. The rising costs of basic goods and services, especially medicines and health care services, compel many of the elderly to continue working to augment family income and provide for their needs. In 2015, 42.1 percent or 3.17 million of the senior citizen population are engaged in gainful employment, while only 22.3 percent were pensioners, retired, and disabled². Further, existing private and government retirement programs and benefits may be less than adequate to sustain the needs of senior citizens, especially those who also served as the head of the household. While government social support programs are implemented in the local and national level, these may not adequately cover the entire elderly population. In 2017, only 19.6 percent of the population aged 60 and above are benefitting from retirement/old age pension, with an average amount of Php5,123 from the Social Security System and Php18,625 from the Government Service Insurance System³.

For these senior citizens, these financial constraints do not free them from the obligation to work, and it may have been difficult to find gainful employment due to lesser opportunities particularly available for them.

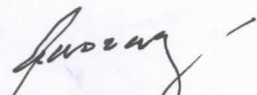
¹ World Health Organization. Retrieved from <https://www.who.int/ageing/healthy-ageing/en/>, on November 18, 2019

² Facts on Senior Citizens: Results of the 2015 Census of Population, Philippine Statistics Authority. Retrieved from https://psa.gov.ph/system/files/2015%20Fact%20Sheets%20on%20Senior%20Citizen_pop.pdf?width=950&height=700&iframe=true, on November 18, 2019

³ Decent Work in the Philippines: Statistics on Social Security. LabStat Updates. Philippine Statistics Authority. January 2019. Retrieved from https://psa.gov.ph/system/files/2015%20Fact%20Sheets%20on%20Senior%20Citizen_pop.pdf?width=950&height=700&iframe=true, on November 18, 2019

The 1987 Constitution puts prime importance to the dignity of every human person and full respect for human rights. Furthermore, the State is mandated to prioritize the needs of the under-privileged, sick, and the elderly. Healthy aging requires holistic consideration to the well-being of the elderly. In furtherance of these policies, this bill seeks to widen employment opportunities for the senior citizens and provide incentives to government and private entities who employ senior citizens. There shall be an improved system for the matching of the skills of senior citizens to the jobs available from both public and private sector. The bill endeavors to supplement existing government social support programs for the elderly, thereby ensuring the protection of the welfare of our senior citizens and that they remain productive members of society.

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



ALETA C. SUAREZ
Representative
Third District, Quezon Province

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **6055**

Introduced by HON. ALETA C. SUAREZ

AN ACT
PROVIDING EMPLOYMENT ASSISTANCE FOR SENIOR CITIZENS IN
GOVERNMENT AND PRIVATE ENTITIES, AMENDING FOR THE PURPOSE
SECTION 5 OF REPUBLIC ACT NO. 7432, AS AMENDED

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

SECTION 1. Declaration of Policy - As provided for by the 1987 Constitution, it is hereby declared policy of the State to 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. The State is also mandated to value the dignity of every human person and guarantee full respect for human rights. The State then shall give priority to the needs of the underprivileged, sick, elderly, disabled, women, and children, and shall design social security programs for their benefit.

The State hereby recognizes the rights of senior citizens to full support in the improvement of their total well-being for a meaningful and productive aging, and their full participation in society. Towards this end, there will be employment opportunities for the senior citizens in government agencies and private sector, allowing them to maximize and utilize their work experiences, time, and earning capacity, and remain productive for their benefit. In turn, government and private entities employing senior citizens and promoting their welfare shall be provided with corresponding support and incentives.

SEC. 2. Section 5, specifically paragraphs (a) and (b) of Republic Act (RA) No. 7432, as amended by RA 9257 or the "Expanded Senior Citizens Act of 2003", and RA 9994 otherwise known as the "Expanded Senior Citizens Act of 2010", is hereby further amended to read as follows:

"Section 5. *Government Assistance* - The government shall provide the following:

(a) Employment

(1) "Senior citizens who have the capacity, desire, AND WILLINGNESS to work or be re-employed, shall be provided information and matching services to enable them to find jobs and be productive members of society.

(2) PRIORITY SHALL BE GIVEN TO SENIOR CITIZENS WHOSE INDIVIDUAL AND FAMILY HOUSEHOLD ANNUAL INCOMES FALL BELOW THE POVERTY THRESHOLD OF THE PHILIPPINE STATISTICS AUTHORITY, AND THOSE WHO ARE NOT RECIPIENTS/GRANTEES OF ANY PENSION OR RETIREMENT BENEFITS FROM PRIVATE AND/OR GOVERNMENT ENTITIES.

(3) THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), NATIONAL COMMISSION OF SENIOR CITIZENS (NCSC), IN COORDINATION WITH CONCERNED GOVERNMENT AGENCIES, SHALL CONSOLIDATE AND DISSEMINATE INFORMATION AND PROVIDE MATCHING SERVICES AND LINKAGES ON EMPLOYMENT OPPORTUNITIES AVAILABLE TO SENIOR CITIZENS.

(4) THE DOLE, NCSC, AND THE CIVIL SERVICE COMMISSION, IN COORDINATION WITH CONCERNED GOVERNMENT AGENCIES, SHALL DETERMINE THE POSITIONS, QUALIFICATIONS, FUNCTIONS, APPOINTMENT ARRANGEMENTS, SALARY, BENEFITS, WORKING HOURS, AND OTHER TERMS AND CONDITIONS OF WORK APPROPRIATE FOR SENIOR CITIZENS IN GOVERNMENT.

(5) PRIVATE ENTITIES THAT WILL EMPLOY QUALIFIED SENIOR CITIZENS, UPON EFFECTIVITY OF THIS ACT, SHALL BE ENTITLED TO AN ADDITIONAL DEDUCTION FROM THEIR GROSS INCOME EQUIVALENT TO SEVENTY PERCENT (70%) OF THE TOTAL AMOUNT PAID AS WAGES TO SENIOR CITIZENS, SUBJECT TO THE PROVISION OF SECTION 34 OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED.

(6) THE TERMS OF EMPLOYMENT OF SENIOR CITIZENS SHALL CONFORM TO THE PROVISIONS OF THE LABOR CODE, AS AMENDED, IN CASE OF PRIVATE EMPLOYMENT, AND TO THE CIVIL SERVICE RULES IN CASE OF GOVERNMENT WORK, AND OTHER RULES AND REGULATIONS PROMULGATED BY THE DOLE, ESPECIALLY IN TERMS OF WAGES, MEDICAL BENEFITS, AND INSURANCE

COVERAGE. SENIOR CITIZENS MAY BE ALLOWED A MAXIMUM OF FOUR (4) HOURS OF WORK PER DAY. THEY SHALL NOT BE REQUIRED TO PERFORM ANY TASK REQUIRING EXCESSIVE PHYSICAL LABOR OR THOSE THAT MAY POSE A THREAT TO THEIR HEALTH, SAFETY, AND WELL-BEING.

(7) NOTHING IN THIS ACT PRECLUDES EMPLOYERS FROM PROVIDING GREATER BENEFITS AND IMPROVING CONDITIONS OF WORK AND TERMS OF EMPLOYMENT OF SENIOR CITIZENS BEYOND THE MINIMUM AS PROVIDED BY LAW.

(8) EMPLOYERS, WHETHER GOVERNMENT OR PRIVATE, SHALL PROVIDE THE NECESSARY TRAININGS TO SENIOR CITIZEN APPLICANTS OR EMPLOYEES THAT WILL BE HELPFUL IN THE PERFORMANCE OF THEIR WORK AND ON MATTERS RELATING TO THEIR HEALTH AND SAFETY AT WORK.

SEC. 3. Implementing Rules and Regulations – The Department of Labor and Employment, National Commission of Senior Citizens, Civil Service Commission, and other concerned agencies shall formulate the rules and regulations necessary in the implementation of this bill within ninety (90) days after the effectivity of this Act.

SEC. 4. Suppletory Application – Republic Act No. 10911 or the “Anti-Age Discrimination in Employment Act”, and all other applicable laws, rules and regulations shall be applied suppletorily in the implementation of this Act.

SEC. 5. Separability Clause - If any provision of this Act is declared unconstitutional or invalid, the other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SEC. 6. Repealing Clause – All laws, decrees, rules and regulations and other issuances or part thereof which are inconsistent with the provisions of this Act are hereby amended, repealed, or modified accordingly.

SEC. 7. Effectivity – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two newspapers of general circulation in the Philippines, whichever comes earlier.

Approved.