

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



17 MAY -3 A9:16

SENATE

**COMMITTEE REPORT NO. 59**

Submitted by the Committees on Labor, Employment and Human Resources Development; Education, Arts and Culture; and Finance on MAY 03 2017.

Re : Senate Bill No. 1431

Recommending its approval in substitution of Senate Bill No. 1318

Sponsor : Senator Joel Villanueva

**Mr. President:**

The Committees on Labor, Employment and Human Resources Development, Education, Arts and Culture; and Finance, to which was referred **Senate Bill No. 1318**, introduced by Senator Joel Villanueva, entitled:

**"AN ACT  
INSTITUTING A PHILIPPINE LABOR FORCE COMPETENCIES  
COMPETITIVENESS PROGRAM, AND ESTABLISHING FREE  
ACCESS TO TECHNICAL AND VOCATIONAL TRAINING  
PROGRAMS"**

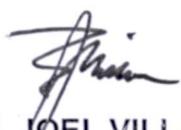
have considered the same and have the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 1431, prepared by the Committees, entitled:

**"AN ACT  
INSTITUTING A PHILIPPINE LABOR FORCE COMPETENCIES  
COMPETITIVENESS PROGRAM, ESTABLISHING FREE ACCESS  
TO TECHNICAL AND VOCATIONAL TRAINING PROGRAMS AND  
FOR OTHER PURPOSES"**

be approved in substitution of Senate Bill No. 1318 with Senator Joel Villanueva as author thereof.

Respectfully submitted:

Chairpersons



**SEN. JOEL VILLANUEVA**

Committee on Labor, Employment and Human Resources Development  
Vice Chair, Committee on Education, Arts and Culture



**SEN. FRANCIS G. ESCUDERO**

Committee on Education, Arts and Culture

  
**SEN. LOREN LEGARDA**

Committee on Finance

Vice-Chairpersons



**SEN. WIN GATCHALIAN**

Committee on Education, Arts and  
Culture



**SEN. SONNY ANGARA**

Committee on Labor, Employment and Human  
Resources Development; Committee on  
Education, Arts and Culture; and Committee  
on Finance

*-55-*  
**SEN. JOSEPH VICTOR G. EJERCITO**  
Committee on Education, Arts and  
Culture

  
**SEN. PAOLO BENIGNO "BAM" AQUINO IV**  
Committee on Education, Arts and Culture  
**SEN. PANFILO M. LACSON**  
Committee on Finance  
**SEN. CYNTHIA A. VILLAR**  
Committee on Finance

Members

SEN. MARIA LOURDES NANCY S. BINAY

SEN. EMMANUEL "MANNY" D. PACQUIAO

SEN. RICHARD J. GORDON

SEN. GREGORIO B. HONASANDO

SEN. ANTONIO "SONNY" F. TRILLANES IV

SEN. GRACE POE

SEN. JUAN MIGUEL F. ZUBIRI

R. Hontiveros - Parafuel  
SEN. RISA HONTIVEROS

SEN. FRANCIS N. PANGILINAN

Ex-Officio Members

SEN. RALPH G. RECTO  
President Pro-Tempore

SEN. VICENTE C. SOTTO III  
Majority Leader

SEN. FRANKLIN M. DRILON  
Minority Leader

Hon. AQUILINO "KOKO" PIMENTEL III  
Senate President  
Senate of the Philippines  
Pasay City

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

17 MAY -3 A9:16

Senate  
S. B. No. 1431RECEIVED BY: JL

---

Prepared and submitted by the Committees on Labor, Employment and Human Resources Development; Education Arts and Culture; and Finance with Sen. Joel Villanueva as author

---

AN ACT  
INSTITUTING A PHILIPPINE LABOR FORCE COMPETENCIES COMPETITIVENESS PROGRAM, ESTABLISHING FREE ACCESS TO TECHNICAL AND VOCATIONAL TRAINING PROGRAMS AND FOR OTHER PURPOSES

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

ARTICLE I  
GENERAL PROVISIONS

1 SECTION 1. **Short Title.** - This Act shall be known as the "Tulong-Trabaho  
2 Act of 2017."

3 SEC. 2. **Declaration of Policy.** – The Philippine Constitution provides that the  
4 State shall promote a just and dynamic social order that will ensure the prosperity  
5 and independence of the nation, and free the people from poverty through policies  
6 that provide adequate social services, promote full employment, a rising standard of  
7 living, and an improved quality of life for all. For this purpose, the Constitution  
8 encourages non-formal, informal, and indigenous learning systems, as well as self-  
9 learning, independent, and out-of-school study programs, particularly those that  
10 respond to community needs.

11 SEC. 3. **Objectives.** – The objectives of this Act shall be:

- 12 (a) To strengthen the qualifications of the Filipino workforce to meet the challenges  
13 of the rapidly evolving workplaces and work structures;
- 14 (b) To provide for more innovative approaches to education and training linked to  
15 the requirement of industry;
- 16 (c) To facilitate access to quality technical education and training; and
- 17 (d) To encourage the participation of industry and communities in competencies  
18 formation and upgrading towards a more competitive Filipino workforce.

- 1       **SEC. 4. Definition of Terms.** – The following terms shall be used in this Act:
- 2       (a) **Competency** refers to the standard knowledge, skills, attitude, and values  
3                          required to complete a work activity in a particular job, trade, or occupation.
- 4       (b) **Competency-based learning system** refers to a system by which the learner  
5                          is trained on the basis of demonstrated ability.
- 6       (c) **Direct training expenses** refers to item of costs that are specifically traced to,  
7                          or caused by the training, and includes consumables used in the course of the  
8                          program, training supplies, materials, utilities, venue and equipment, trainers'  
9                          fees and other related expenditures.
- 10      (d) **Formal education** refers to the systematic and deliberate process of  
11                          hierarchically structured and sequential learning corresponding to the general  
12                          concept of elementary and secondary level of schooling. At the end of each  
13                          level, the learner needs a certification in order to enter or advance to the next  
14                          level.
- 15      (e) **Informal Education** refers to a lifelong process of learning by which every  
16                          person acquires and accumulates knowledge, skills, attitudes and insights from  
17                          daily experiences at home, at work, at play and from life itself.
- 18      (f) **Philippine TVET Competency Assessment and Certification System** refers  
19                          to a quality-assured system in recognition of the attainment of competencies  
20                          (knowledge, skills, attitudes and values) as referred to the competency  
21                          standards set for middle-level occupation. It is the process of determining the  
22                          qualification level of a person and a tool in identifying the training needs of a  
23                          person with competency gaps.
- 24      (g) **Program** refers to the Philippine Labor Force Competencies Competitiveness  
25                          Program established in accordance with this Act.
- 26      (h) **TESDA** refers to the Technical Education and Skills Development Authority.
- 27      (i) **Technical Vocational Education and Training (TVET)** – refers to the  
28                          education or training process involving general education, the study of  
29                          technologies and related sciences, acquisition of practical skills relating to  
30                          occupations in various sectors of economic and social life, and comprises  
31                          formal (organized programs as part of the school system) and non-formal  
32                          (organized classes outside the school system) approaches.
- 33       **SEC. 5. Philippine Labor Force Competencies Competitiveness Program.**  
34       – There shall be established a Philippine Labor Force Competencies  
35                          Competitiveness Program in accordance with Section 17 of this Act, and which shall  
36                          be funded through the Tulong-Trabaho Fund created in accordance with Section 6 of  
37                          this Act.

## ARTICLE II THE TULONG-TRABAHO FUND

**SEC. 6. *Tulong-Trabaho Fund.*** – There shall be established a Tulong-Trabaho Fund that shall provide qualified recipients with access to TVET training programs through the full payment of the selected programs' training fees, as well as the possibility of providing additional financial assistance such as transportation allowance and laboratory fees, as needed.

**SEC. 7. Funding.** – The funds necessary for the implementation of this Act shall be included in the General Appropriations Act. The appropriated amount shall be sufficient for free technical education and training and shall be used to fund the training of qualified applicants for qualifications in key employment generating sectors.

**SEC. 8. Scope of Financial Assistance.** – The Tulong-Trabaho Fund shall be used to pay the fees of qualified recipients in Selected Training Programs (STPs) selected in accordance with Section 10 of this Act.

**SEC. 9. Qualified Recipients.** – Access to the Tulong-Trabaho Fund shall be made available to (i) any person at least fifteen (15) years of age who are not employed, not in education, and not in training (“NEET”), and (ii) employed workers, who intend to develop and expand their current skills and training.

**SEC. 10. Management of the Tulong-Trabaho Fund.** – TESDA shall be primarily responsible for managing the Tulong-Trabaho Fund. For this purpose, the TESDA Board shall promulgate the policies and guidelines to implement the Program.

The TESDA Board shall also have the power to receive donations from both government and non-government organizations to be used strictly and exclusively for the beneficiaries and qualified applicants of the Tulong-Trabaho Fund.

**SEC. 11. Determination of Selected Training Programs.** – The TESDA Board shall approve the final list of Selected Training Programs (STPs) eligible to receive funding from the Tulong-Trabaho Fund based on the initial recommendation of the TESDA Secretariat. STPs may be school-based, center-based, community-based or enterprise-based programs and shall be determined based on the following considerations:

- 33 (a) The latest issuances of Labor Market Intelligence Reports;

34 (b) Quantitative and qualitative data on employment opportunities to be provided  
35 by the Department of Labor and Employment;

36 (c) Quantitative and qualitative data on jobs and skills matching, as determined by  
37 TESDA;

38 (d) The Human Resource Development Roadmaps; and

- 1 (e) Other quantitative and qualitative studies to be determined necessary by the  
2 TESDA Board in its selection of STPs,

*Provided*, that the TESDA Board may, in its discretion, adopt additional bases to achieve the objectives of this Act.

5 The TESDA Board shall release the initial list of available STPs within two (2)  
6 months from the effectivity of this Act, and shall update such list in accordance with  
7 the provisions of this Act.

**SEC. 12. Determination of Qualified Recipients.** – The heads of entities seeking funding for STPs shall submit a list of trainees who have requested assistance from the Tulong-Trabaho Fund to the TESDA Regional Directors. The TESDA Regional Directors shall assess the recipients and submit a list of qualified recipients to the TESDA Director General for his/her approval.

13 The list of qualified recipients shall be periodically updated depending on the  
14 availability of the Tulong-Trabaho Fund and the number of STPs.

**SEC. 13. – *Evaluation of Assistance Given to Schools and Training Centers.*** – The TESDA Board shall periodically evaluate schools and training centers that receive funding from the Tulong-Trabaho Fund. These recipient-institutions shall ensure that at least 70% of the beneficiaries of the Tulong-Trabaho Fund are able to pass the Philippine TVET Competency Assessment and Certification System. Failure to meet the passing rate shall subject the school or training center to performance review and audit by the TESDA Board.

22 The TESDA Board shall have the discretion to provide other criteria and  
23 standards to determine whether the school or center shall continue to receive  
24 financial assistance through the Tulong-Trabaho Fund.

**SEC. 14. Public Online Registry.** – TESDA shall create a registry of schools and training centers that offers STPs, a database of qualified recipients of financial assistance and a list of graduates of these programs. These lists shall be accessible through the website of the TESDA.

**SEC. 15. Evaluation.** – The TESDA Board shall release an annual report to be made available to the public on the management of the Tulong-Trabaho Fund, including the appropriations from the General Appropriations Act, donations from private and other organizations, expenditures, performance of the qualified recipients and other pertinent information as may be necessary in accordance with the principle of fair and full disclosure.

## ARTICLE III DEVELOPMENT MODALITIES AND SUPPORT SYSTEMS

**SEC. 16. Primary Duty of TESDA.** – TESDA shall design and implement the support systems necessary to achieve the objectives of this Act, particularly the

1 development of additional TVET programs and the improvement of existing TVET  
2 programs.

3 **SEC. 17. *Support Systems for the Development of the Program.*** –  
4 Consistent with the recognition that a TVET program must be based on developing  
5 competencies and focused on learning outcomes to be relevant to changing  
6 demands, TESDA shall ensure that qualified recipients of the Tulong-Trabaho Fund  
7 are appropriately trained and their competencies are regularly updated.

8 For this purpose, appropriate standards, proper planning, trainors' training  
9 and certification, competency assessment and certification and quality assurance  
10 system shall be put in place to ensure that entrants' to the Program shall be  
11 sufficiently equipped. In addition, the development of modalities and programs for  
12 employed workers and accumulation of new learning modules shall be undertaken to  
13 upgrade competencies of employed workers.

14 The participation of industries and engagement of local governments shall  
15 also be sought.

16 **ARTICLE IV**  
17 **MISCELLANEOUS PROVISIONS**

18 **SEC. 18. *Oversight Committee.*** – A joint oversight committee, composed of  
19 the chairpersons of the Committee on Labor of the Senate and the House of  
20 Representatives, shall be convened in order to review, the performance of the  
21 Tulong-Trabaho Fund.

22 **SEC. 19. *Implementing Rules and Regulations.*** – The TESDA shall, in  
23 consultation with relevant stakeholders, issue the implementing rules and regulations  
24 of this Act within a period of ninety (90) days after the effectivity of this Act.

25 **SEC. 20. *Separability Clause.*** – If any provision or part hereof, is held invalid  
26 or unconstitutional, the remainder of the law or the provision not otherwise affected  
27 shall remain valid and subsisting.

28 **SEC. 21. *Repealing Clause.*** – Any law, presidential decree or issuance,  
29 executive order, letter of instruction, administrative order, rule or regulation contrary  
30 to or inconsistent with, the provisions of this Act is hereby repealed, modified, or  
31 amended accordingly.

32 **SEC. 22. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after  
33 its publication in at least two (2) newspapers of general circulation.

34 Approved.