



Senate

Office of the Secretary

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

'17 MAR -8 P6:20

SENATE

RECEIVED BY: 

SENATE BILL NO. 1377

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INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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AN ACT  
TO ESTABLISH A JOB TRAINING PROGRAM FOR MATURE OR  
OLDER WORKERS

EXPLANATORY NOTE

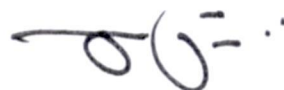
The 1987 Philippine Constitution, Article XIII, Section 3 thereof, states that:

*"The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. xxx"*

Unemployment and underemployment are constant problems of the government. Those who are previously employed may suddenly find themselves jobless, while those who have never been employed might have less chances of being hired because of the increased competition. This trend absolutely places the mature and older workers at a disadvantage.

Hence, it is the purpose of this bill to establish programs to prepare mature or older workers for participation in the labor force by increasing occupational and educational skills resulting in improved long-term employability, and increased employment and earnings.

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



JOSEPH VICTOR G. EJERCITO



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

1 **SECTION 1. Short Title** — This Act shall be known as the "*Mature and Older*  
2 *Workers Act.*"

3  
4 **SECTION 2. Definition of Policy** - It is the policy of the State to afford full  
5 protection to labor, local and overseas, organized and unorganized and  
6 promote employment and equality of employment opportunities for all.  
7

8 **SECTION 3. Definition of Terms** - As used in this Act, the term:  
9

10 (A) **Basic Skills Deficient** means, with respect to an individual, that the  
11 Individual has English reading or computing skills at or below the 8<sup>th</sup> grade  
12 level on a generally accepted standardized test or a comparable score on a  
13 criterion referenced test;  
14

15 (B) **Case Management** means the provision, in the delivery of a service, of a  
16 client-centered approach designed to:  
17

- 18 (1) prepare and coordinate a comprehensive employment plan, such  
19 as a service strategy, for a participant to ensure access to a  
20 necessary training and support service; and  
21 (2) provide job and career counseling during program participation  
22 and after job placement.  
23

24 (C) **Educational Agency** means:

- 1  
2 (1) a public local school authority having administrative control of  
3 elementary, middle or secondary schools or providing adult  
4 education;  
5  
6 (2) a public or private institution that provides alternative middle or  
7 high school education;  
8  
9 (3) a public education institution or agency having administrative  
10 control of secondary or post-secondary vocational education  
11 programs; or  
12  
13 (4) post-secondary institution  
14  
15 (D) **Mature or Older Worker** means an individual who is 40 years of age or  
16 older.  
17  
18 (E) **Participant** means an individual who has been determined to be eligible  
19 to participate in the program;  
20  
21 (F) **School Dropout** means an individual who is no longer attending any  
22 school and who has not received a secondary school diploma or a certificate  
23 from a program of equivalently for such a diploma; and  
24  
25 (G) **Termination** means the separation of a participant who is no longer  
26 receiving services.  
27  
28

29 **SECTION 4. Eligibility for Services** - An individual shall be eligible to  
30 participate in the program assisted under this part if such individual is forty  
31 (40) years of age or older and is included in one or more of the following  
32 categories:  
33

- 34 (A) Individuals whose income is not excess of the poverty line;  
35 (B) Individuals who are eligible for housing assistance; o  
36 (C) Individuals who are included in two (2) or more of the following  
37 categories:  
38

- 39 (1) Individuals who are unemployed 15 of the past 26 weeks;  
40 (2) Individuals who are unemployed 30 of the past 52 weeks;  
41 (3) Individuals who are working 20 or fewer hours a weeks;  
42 (4) Individuals who are displaced homemakers;  
43 (5) Individuals who are homeless;  
44 (6) Individuals who have finished less than 10 years of school;



- (7) Individuals who are deficient in basic skills;
- (8) Individuals who have been notified that the jobs of such;
- (9) Individuals will be terminated within the next 60 days; or
- (10) Individuals who live alone.

## **SECTION 5. - Program Design -**

### **(A) IN GENERAL - PROGRAM REQUIREMENTS -** Each program assisted under:

- (1) an objective assessment, using the case management technique, of the skill levels and service needs of each participant, including such factors as basic skills, occupational skills, prior work experience, employability interests, aptitudes (including interests and aptitudes for nontraditional employment) and supportive service needs, except that anew assessment of a participant is not required if the program determined that a recent assessment of the participant conducted under another education or training program, is an appropriate assessment;
- (2) development of service strategies that shall identify the employment goal (including in appropriate circumstances, nontraditional employment), the appropriate achievement objectives, and the appropriate sequence of service for participants, taking into account the assessments conducted under subparagraph (A) , except that a new service strategy is not required if the program determines a recent service strategy developed for the participant under another education or training program is an appropriate service strategy;
- (3) a review of the progress of each participant in meeting the objectives of the service strategy; and
- (4) basic skills training and occupational skills training if the assessments and the strategy indicate such training is appropriate.

### **(B) ADDITIONAL REQUIREMENTS -**

- (1) **MINIMUM INCOME PARTICIPANTS AND APPLICANTS -** Each service delivery area participating in a program assisted under this Act shall ensure that each participant or applicant described in paragraph (1), (2), or (3) of Section 4 shall be provided -

- (a) information on the full array of applicable or appropriate services that are available through the service delivery area or

1 other service providers, including providers receiving funds  
2 under this Act; and  
3

4 (b) Referral to other appropriate training and educational  
5 programs that have the capacity to serve the participant or  
6 applicant either on a sequential or concurrent basis.  
7

8 **(C) APPLICANTS NOT MEETING ENROLLMENT REQUIREMENTS -**  
9

10 (1) **SERVICE PROVIDERS** - Each service providers shall ensure  
11 that an eligible applicant who does not meet the enrollment  
12 requirements of the particular program of the provider shall be referred  
13 to the service delivery area for further assessment, as necessary, and  
14 referral to appropriate programs to meet the basic skills and training  
15 needs of the applicants;  
16

17 (2) **SERVICE DELIVERY AREA** - The service delivery area shall  
18 ensure that appropriate referrals are made under clause (1) and  
19 shall maintain records on the referral and the reasons for which  
20 applicants are referred.  
21

22 **(D) AUTHORIZED SERVICES** - One or more of the following training or  
23 supportive services shall be made available to each participation under this  
24 part:  
25

- 26 (1) Outreach and recruitment;
- 27 (2) Intake and assessment;
- 28 (3) Job search assistance
- 29 (4) Classroom and occupational skills training;
- 30 (5) On-the-job training;
- 31 (6) Work experience;
- 32 (7) Basic and remedial education and literacy training;
- 33 (8) Supplemental services, including day care for dependent children  
34 and adults;
- 35 (9) Occupational placement assistance  
36

37 **(E) SPECIAL RULES -**  
38

39 (1) **SELECTION OF SERVICE PROVIDERS** - In the selection of  
40 service providers, the Department of Labor and Employment  
41 shall give preference to agencies and organizations with  
42 demonstrated competence. in conducting older and mature  
43 worker programs.  
44

1           (2) **JOB TRAINING PLAN** - The Department of Labor and  
2           Employment shall develop the job training program under this  
3           Act. It may seek the assistance of other government agencies such  
4           as the Department of Education and the help of private  
5           educational agencies. It shall also formulate the necessary  
6           implementing rules and regulations that will ensure the efficient  
7           and effective implementation of this Act.  
8

9           **SECTION 6. Report** - The Secretary shall submit to the President of the  
10          Philippines and to both Houses of Congress, not later than the opening of the  
11          regular session each year, an annual report on the status of the  
12          implementation of this Act. The annual report shall include an analysis, for  
13          each province and on a nationwide basis, of the number of participants served  
14          under this Act, and the type of services under this Act received by  
15          participants.  
16

17          **SECTION 7. Separability Clause** - If any provision, or part hereof is held  
18          invalid or unconstitutional, the remainder of the law or the provision not  
19          otherwise affected shall remain valid and subsisting.  
20

21          **SECTION 8. Repealing Clause** - Any law, presidential decree or issuance,  
22          executive order, letter of instruction, administrative order, rule or regulation  
23          contrary to or inconsistent with the provision of this Act is hereby repealed,  
24          modified or amended accordingly.  
25

26          **SECTION 9. Effectivity Clause** - This Act shall take effect fifteen (15) days  
27          after its publication in at least two (2) newspapers of general circulation.  
28

29          Approved,  
30  
31  
32  
33