

S. No. 2035
H. No. 8400

Republic of the Philippines
Congress of the Philippines
Metro Manila

Nineteenth Congress

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Begun and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand twenty-three.

[REPUBLIC ACT NO. **11962**]

AN ACT ESTABLISHING THE NATIONAL EMPLOYMENT MASTER PLAN, TO BE KNOWN AS THE "TRABAHO PARA SA BAYAN PLAN," APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the "Trabaho Para sa Bayan Act."

SEC. 2. *Declaration of Policies.* – It is the policy of the State to afford full protection to labor, local and overseas, organized and unorganized, promote full, productive and freely chosen employment and livelihood, and ensure equitable employment opportunities for all, irrespective of sex, race, color, religion, political opinion, ethnicity, or social origin.

Accordingly, the State shall, in pursuit of poverty reduction through decent jobs, sustainable enterprises, and economic transformation, ensure an environment that encourages more employment and entrepreneurship

opportunities, provide comprehensive support to existing and emerging businesses, particularly to the micro, small and medium enterprises (MSMEs), and improve the employability, productivity, and competitiveness of Filipino workers.

In order to carry out the policies of this Act, the "Trabaho Para sa Bayan Plan," as provided herein, shall serve as the State's master plan on employment generation and recovery to realize short-term and long-term goals and visions for the country. It shall have the following objectives:

(a) To stimulate national and local economic growth and development through various means, including, but not limited to, aligning investment and other incentives provided by law to the creation of more decent employment and other work opportunities to address unemployment, underemployment, youth unemployment, rising precarity and informality of working arrangements, reintegration of Overseas Filipino Workers (OFWs), and other challenges in the labor market;

(b) To promote the employability, competitiveness, wellness, and productivity of workers through efficient, effective, and timely delivery of industry-relevant skills training and enhancement programs, reintegration pathways, active labor market activities, and other services to allow workers to gain access to and maximize opportunities in the labor market;

(c) To provide support and incentives to businesses, whether existing or emerging, particularly MSMEs, including increased access to financing and capital, to promote self-reliance, spur employment generation, and ensure the security and protection of employment; and

(d) To incentivize employers, industry stakeholders, and other private sector organizations that offer training, technology, knowledge and skills transfer, upskilling and reskilling, enterprise-based training, such as apprenticeship, work immersion, or on-the-job training, and other similar activities.

SEC. 3. *Coverage.* – This Act shall apply to national, regional, and local government units (LGUs), without prejudice to the right of the Bangsamoro Government and its component

LGUs to adopt and implement projects and programs for labor and employment, consistent with national policies, laws, rules and regulations.

SEC. 4. *Trabaho Para sa Bayan Plan; Action Components, Success Measures, and Key Performance Indicators.* – The *Trabaho Para sa Bayan Plan* (TPB Plan) shall be the State's employment generation and recovery master plan. It shall include a three (3)-year, six (6)-year, and ten (10)-year development timeline for its vision, mission, goals, and milestones.

The *Trabaho Para sa Bayan* Inter-Agency Council created under Section 5 of this Act shall formulate success measures, key performance indicators, and action components, including:

(a) Providing support for the establishment, business continuity, and growth of MSMEs, including start-ups and cooperatives, through increased access to financing, capital, and other incentives, transition of informal MSMEs to formality, and other support mechanisms;

(b) Skilling, upskilling, and reskilling the workforce, including industry-relevant skills and core skills, to improve their employability and competitiveness and to foster lifelong learning, taking into consideration the nuanced needs of workers from marginalized or vulnerable sectors;

(c) Encouraging and providing incentives to employers and other private sector organizations, including industry stakeholders, that offer training, technology, knowledge and skills transfer, upskilling and reskilling, enterprise-based training, such as apprenticeship, work immersion, or on-the-job training, recognition of prior learning and experience, and other similar activities geared towards the improvement of the workforce;

(d) Empowering the workforce on their rights and obligations under the Philippine Constitution, Presidential Decree No. 442 or the Labor Code of the Philippines, as amended, and other rules and regulations, including the right to self-organization, freedom of association, and collective bargaining, through orientations, seminars, and similar modes;

(e) Identifying priority sectors, key and emerging industries, and other activities with high employment potential for various purposes, such as encouraging domestic and foreign direct investments, implementing targeted interventions and subsidies, and providing support to create value-adding supply chain;

(f) Expanding the implementation of active labor market policies, information, and programs, including employment facilitation and reintegration support for OFWs, and utilizing innovative means to improve accessibility and efficiency in delivering such services;

(g) Enhancing tripartism and social dialogue among workers, employers, and the government, and increasing the participation and representation of marginalized and vulnerable sectors in various labor issues and concerns;

(h) Addressing youth unemployment by, among others, identifying challenges in the school-to-work transition of new entrants in the labor market, including challenges confronting youth not engaged in education, employment or training (NEET);

(i) Providing standards for training and employment of apprentices, and formulating guidelines for the creation of apprenticeship programs and other enterprise-based education and training modalities to improve productivity and efficiency in the workforce;

(j) Establishing effective and inclusive grievance redress mechanisms to provide an accessible and credible channel for complaints and exact accountability to those liable for obligations and commitments;

(k) Providing support to, and promoting the welfare of, all workers in new forms of work arrangements, such as freelance work, whether in-person or through online platforms or gig economy;

(l) Formulating integrated plans and incentives to encourage and facilitate the transition of workers and enterprises from the informal to the formal economy through enabling interventions, such as, but not limited to, business

registration, financial literacy programs, and enrollment in social protection programs, such as the Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), and the Home Development Mutual Fund (Pag-IBIG);

(m) Promoting the adoption of ethical and fair recruitment standards and practices to protect the rights of migrant workers, promote decent work, and enhance the global competitiveness of Filipino workers;

(n) Promoting access to and utilization of digital infrastructure in doing business among MSMEs and informal economic units to overcome the digital divide; and

(o) Contributing to the implementation of the full-cycle and comprehensive national reintegration program for documented and undocumented OFWs.

SEC. 5. *Trabaho Para sa Bayan Inter-Agency Council (TPB-IAC)*. – The TPB-IAC is hereby established, which shall be composed of the following:

(a) Director-General of the National Economic and Development Authority (NEDA), as Chairperson;

(b) Secretary of the Department of Trade and Industry (DTI), as Co-Chairperson;

(c) Secretary of the Department of Labor and Employment (DOLE), as Co-Chairperson;

(d) Director-General of the Technical Education and Skills Development Authority (TESDA), as member;

(e) Secretary of the Department of Budget and Management (DBM), as member;

(f) Secretary of the Department of Finance (DOF), as member;

(g) Secretary of the Department of the Interior and Local Government (DILG), as member;

(h) One (1) representative from the employers' organizations;

- (i) One (1) representative from the labor organizations;
- (j) One (1) representative from the marginalized or vulnerable sector; and
- (k) One (1) representative from the informal sector.

The TPB-IAC shall meet at least every quarter or as often as may be necessary. The TPB-IAC chairpersons and members may designate their representatives, who shall have at least the rank of Assistant Secretary or its equivalent, and who must be fully authorized to decide for and on behalf of the agency represented.

The Secretariat of the TPB-IAC shall be composed of dedicated personnel from NEDA, DTI, and DOLE, which shall provide administrative, operational, and technical support to the TPB-IAC.

The TPB-IAC shall engage other government agencies and instrumentalities, as well as representatives from the labor and employers' organizations, marginalized or vulnerable sectors, and informal sectors, as may be necessary.

SEC. 6. *Powers and Functions of the TPB-IAC.* – The TPB-IAC shall have the following powers and functions:

- (a) Formulate the TPB Plan that shall include action components, success measures, and key performance indicators as provided under this Act and such other strategies and activities as may be necessary;
- (b) Monitor, review, evaluate and update, as necessary, the TPB Plan, its implementation and accomplishments, identify gaps in execution, and recommend improvements;
- (c) Conduct a comprehensive analysis of the employment situation and labor market in the country, global employment and economic trends, existing policies and programs affecting the workforce and specific workers in particular sectors, and map initiatives undertaken with the support of the private sector, nongovernment organizations, or international development organizations;

(d) Review and streamline all existing policies, plans, programs, projects, and all existing inter-agency councils, and provide directions for the alignment of their efforts with the TPB Plan to avoid duplication of functions, ensure effective use of resources, and harmonize and complement all governmental efforts;

(e) Assist LGUs in planning, devising, and implementing employment generation and recovery plans and programs within their localities, and ensure their alignment with the TPB Plan;

(f) Craft and provide guidelines for the institutionalization of the TPB Plan in each government agency; and

(g) Perform such other functions that may be related to the implementation of the TPB Plan.

SEC. 7. *Establishment of TPB-IAC Working Groups.* – To pursue the implementation of the TPB Plan, working groups may be established by the TPB-IAC, as may be necessary. The creation of working groups shall be in line with the objectives and targets as may be indicated in the TPB Plan, and shall work on developing and/or enhancing employment generation and recovery in specific industries and emerging sectors, such as, but not limited to, health services, construction, tourism, agriculture, information technology and business process management, and manufacturing, as well as working groups on thematic areas.

Each working group shall be chaired by a government agency, as may be designated by the TPB-IAC. Industry sector representatives may also be represented and shall participate in the working groups.

SEC. 8. *Government Job Provision.* – The Civil Service Commission (CSC), Commission on Audit (COA), and DBM, in consultation with relevant government agencies and LGUs, shall conduct an analysis and review of the existing hiring policies and standards of the government, including, but not limited to, the skills and competencies required, streamlining and improving the processes of recruitment and selection, and identifying the appropriate manpower needs of the government.

SEC. 9. *Role of Other Government Agencies.* – All government agencies, including LGUs, shall:

(a) Cooperate and coordinate with the TPB-IAC in the alignment and integration of the TPB Plan with their policies and programs; and

(b) If requested, provide the necessary information to the TPB-IAC to realize the objectives of this Act.

SEC. 10. *Reporting Requirements.* – The TPB-IAC shall submit reports every January and July of each year to the Office of the President, the Senate of the Philippines, and the House of Representatives on the following:

(a) Timeline and status of implementation and accomplishments of each action component in the TPB Plan;

(b) Evaluation of policies, plans, programs, and projects of relevant government agencies;

(c) Recommendations for possible policy interventions to improve and address identified labor market challenges in the TPB Plan; and

(d) Other information that may be relevant.

The reports shall be made publicly available through the respective websites of the relevant government agencies.

SEC. 11. *Implementing Rules and Regulations.* – Within one hundred eighty (180) days from the effectivity of this Act, the TPB-IAC, together with other concerned agencies and private stakeholders, shall jointly formulate the implementing rules and regulations for the effective implementation of this Act.

SEC. 12. *Appropriations.* – The amount needed for the initial implementation of this Act shall be charged against the current year’s appropriations of the departments or agencies concerned. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 13. *Separability Clause.* – Any portion or provision of this Act that is declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions can still subsist and be given effect in their entirety.

SEC. 14. *Repealing Clause.* – All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.


SEC. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.


Approved,


FERDINAND MARTIN G. ROMUALDEZ
Speaker of the House
of Representatives


JULIAN MIGUEL F. ZUBIRI
President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2035 on May 29, 2023 and adopted by the House of Representatives as an amendment to House Bill No. 8400 on August 29, 2023.


REGINALD S. VELASCO
Secretary General
House of Representatives


RENATO N. BANTUG JR.
Secretary of the Senate

Approved: 27 SEP 2023


FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines



Office of the President
MALACAÑANG RECORDS OFFICE

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ATTY. CONCEPCION ZENY E. FERROLINO-ENAD
DIRECTOR IV
9-29-2023

