

S. No. 1431

H. No. 8139

Republic of the Philippines
Congress of the Philippines

Metro Manila

Seventeenth Congress

Third Regular Session

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



[REPUBLIC ACT NO. **11230**]

AN ACT INSTITUTING A PHILIPPINE LABOR FORCE COMPETENCIES COMPETITIVENESS PROGRAM AND FREE ACCESS TO TECHNICAL-VOCATIONAL EDUCATION AND TRAINING (TVET), AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Tulong-Trabaho Act”.

SEC. 2. *Declaration of Policy.* – The Philippine Constitution provides that the State shall promote a just and dynamic social 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. For this purpose, the Constitution encourages nonformal, informal and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs, particularly those that respond to community needs.

SEC. 3. *Objectives.* – This Act has the following objectives:

(a) To strengthen the qualifications of the Filipino workforce to meet the challenges of the rapidly evolving workplaces and work structures;

(b) To provide for more innovative approaches to Technical Vocational Education and Training (TVET) linked to the requirement of industry to primarily address unemployment and job-skill mismatch;

(c) To facilitate access to quality TVET; and

(d) To encourage the participation of industry and communities in competencies formation and upgrading towards a more competitive Filipino workforce.

SEC. 4. *Definition of Terms.* – As used in this Act:

(a) *Competencies* refer to the standard knowledge, skills, attitudes, and values required to complete work activities in a particular job, trade, or occupation;

(b) *Competencies-based learning system* refers to a system by which the learner is trained on the basis of demonstrated ability;

(c) *Direct training expenses* refer to items of cost that are specifically traced to or caused by the training and include consumables used in the course of the program, training supplies, materials, utilities, venue and equipment, trainers' fees, and other related expenditures;

(d) *Enterprise-based programs* refer to training programs being implemented in companies or firms;

(e) *Formal education* refers to the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of elementary and secondary level of schooling. At the end of each level, the learner needs a certification in order to enter or advance to the next level;

(f) *Industry board or body* refers to industry organizations recognized by the Technical Education and Skills Development Authority (TESDA) according to set guidelines, and those that are duly authorized to receive funding in accordance with this Act;

(g) *Informal education* refers to a lifelong process of learning by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences at home, at work, at play, and from life itself;

(h) *Labor Market Intelligence Reports* refer to latest reports and researches provided by the TESDA and the Department of Labor and Employment (DOLE) which pertain to crucial skills that are in demand in today's competitive labor market;

(i) *Philippine TVET Competencies Assessment and Certification System* refers to a quality-assured system in recognition of the attainment of competencies (knowledge, skills, attitudes and values) as referred to the competencies standards set for middle-level occupation. It is the process of determining the qualification level of a person and a tool in identifying the training needs of a person with competencies gaps;

(j) *Program* refers to the Philippine Labor Force Competencies Competitiveness Program established in accordance with this Act;

(k) *Selected Training Programs (STPs)* approved by the TESDA Board based on the recommendations of pertinent industries refer to school-based, center-based, community-based, enterprise-based and web-based technical-vocational education and training programs;

(l) *TESDA* refers to the Technical Education and Skills Development Authority; and

(m) *Technical-Vocational Education and Training (TVET)* refers to the education or training process involving general education, the study of technologies and related sciences, acquisition of practical skills relating to occupations in various sectors of economic and social life, and comprises formal (organized programs as part of the school system) and nonformal (organized classes outside the school system) approaches.

SEC. 5. *Philippine Labor Force Competencies Competitiveness Program.* – There shall be established a Philippine Labor Force Competencies Competitiveness Program in accordance with Section 17 of this Act, and which shall be funded through the *Tulong-Trabaho* Fund created in accordance with Section 6 of 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 programs under the STPs to be determined by the TESDA Board through the full payment of the STPs' training fees, as well as the additional financial assistance such as transportation allowance and laboratory fees, as needed.

All costs to be incurred in undergoing assessment and certification, issuance of national certificates and other documents, administrative and all other procedures required for the completion of the TVET programs under the STPs shall be free of charge to the qualified recipients under Section 9 of this Act.

SEC. 7. *Funding.* – The funds necessary for the implementation of this Act shall be immediately sourced from the TESDA budget in the current General Appropriations Act (GAA) and hereinafter be included in the GAA of the succeeding year.

SEC. 8. *Scope of Financial Assistance.* – The *Tulong-Trabaho* Fund shall be used to pay the fees of qualified recipients in STPs selected in accordance with Section 9 of this Act.

SEC. 9. *Qualified Recipients.* – Access to the *Tulong-Trabaho* Fund shall be made available to (a) any person at least fifteen (15) years of age who are not employed, not in education and not in training (NEET), and (b) employed workers who intend to develop and expand their current skills and trainings: *Provided,* That existing workers in enterprise-based companies or industries currently trained by their employers shall be excluded from the coverage of this Act.

SEC. 10. *Management of the Tulong-Trabaho Fund.* – The 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 nongovernment organizations to be used strictly and exclusively for the beneficiaries and qualified applicants of the *Tulong-Trabaho* Fund.

The TESDA Board shall provide the guidelines to determine the qualified beneficiaries entitled to receive financial assistance from the *Tulong-Trabaho* Fund.

SEC. 11. *Determination of Selected Training Programs.* – The TESDA Board shall approve the final list of 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, enterprise-based or web-based programs. The STPs shall initially be determined based on the following considerations:

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

(b) Quantitative and qualitative data on employment opportunities to be provided by the DOLE;

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

(d) The Human Resource Development Roadmaps; and

(e) Other quantitative and qualitative studies to be determined necessary by the 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.

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

SEC. 12. *Determination of Qualified Recipients.* – The industry boards or bodies 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.

The list of qualified recipients shall be periodically updated depending on the 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. The recipient-industry boards and institutions shall ensure that at least eighty percent (80%) 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.

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

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

SEC. 15. *Evaluation.* – In accordance with the principles of fair and full disclosure, the TESDA Board shall issue and make available to the public, an annual report on the utilization of the *Tulong-Trabaho* Fund and other funds allocated in the GAA, donations from private and other organizations, expenditures, the performance of the qualified recipients and other pertinent information as may be necessary. An impact evaluation shall be conducted from time to time.

ARTICLE III

DEVELOPMENT MODALITIES AND SUPPORT SYSTEMS

SEC. 16. *Primary Duty of the TESDA.* – The TESDA shall design and implement the support systems necessary to achieve the objectives of this Act, particularly the development of additional TVET programs and the improvement of existing TVET programs.

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

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

The participation of industries and engagement of local governments and the labor sector shall also be sought.

ARTICLE IV

MISCELLANEOUS PROVISIONS

SEC. 18. *Oversight Committee.* – There is hereby created a Joint Congressional Oversight Committee on *Tulong-Trabaho* composed of three (3) members each from the House Committee on Higher and Technical Education and the House Committee on Labor and Employment, to be appointed by the House Speaker, and three (3) members each from the Senate Committee on Labor, Employment and Human Resources Development and the Senate Committee on Education, Arts and Culture to be appointed by the Senate President: *Provided*, That at least one (1) member from the House and one (1) member from the Senate shall represent the minority.

The Joint Oversight Committee on *Tulong-Trabaho* shall have the power to monitor and review the implementation of this Act and the disbursements of the *Tulong-Trabaho* Fund: *Provided, further*, That the secretariat of the Joint Oversight Committee shall be drawn from the Secretariat personnel of the House Committee on Higher and Technical Education, the House Committee on Labor and Employment, the Senate Committee on Education, Arts and Culture, and the Senate Committee on Labor, Employment and Human Resources Development. Funding of the expenses of the Joint Oversight Committee shall be taken from the appropriations of both the House and the Senate committees.

SEC. 19. *Implementing Rules and Regulations.* – The TESDA shall, in consultation with relevant stakeholders, issue the implementing rules and regulations of this Act within a period of sixty (60) days after the effectivity of this Act.

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

SEC. 21. *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, modified, or amended accordingly.

SEC. 22. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

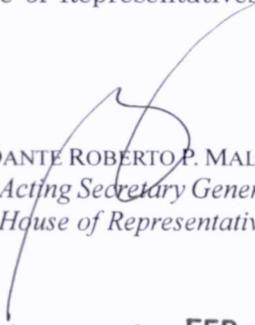


GLORIA MACAPAGAL-ARROYO
*Speaker of the House
of Representatives*



VICENTE C. SOTTO III
President of the Senate

This Act which is a consolidation of Senate Bill No. 1431 and House Bill No. 8139 was passed by the Senate and the House of Representatives on December 11, 2018.



DANTE ROBERTO P. MALING
*Acting Secretary General
House of Representatives*



MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved: FEB 22 2019



RODRIGO ROA DUTERTE
President of the Philippines



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