

AN ACT ESTABLISHING A NATIONAL POLICY ON MANPOWER AND OUT-OF-SCHOOL YOUTH PLANNING AND DEVELOPMENT, CREATING A NATIONAL MANPOWER AND YOUTH COUNCIL AND OTHER INSTITUTIONS, AND FO...

REPUBLIC ACT NO. 5462, April 11, 1969

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

SECTION 1. Title.—This Act shall be known as the Manpower and Out-of-School Youth Development Act of the Philippines.

SEC. 2. Declaration of Policy.—This Act is a social legislation intended to take care of, train and develop human resources and to establish institutions and formulate integrated plans, programs and projects as will insure efficient and proper allocation, accelerated development and optimum utilization of the nation's manpower and out-of-school youth and thereby develop civic efficiency and strengthen family life.

SEC. 3. Definitions.—For purposes of this Act, the term "Manpower" shall be understood to mean that portion of the nation's population which has actual or potential capability of contributing directly to production of goods and services.

"Out-of-school youth" shall be understood to mean that portion of the nation's population between the ages of twelve to seventeen years who are not regularly enrolled and undergoing formal academic or vocational training in an institution recognized by the government

SEC. 4. National Manpower and Youth Council; Creation and Composition.—To carry out the purposes and objectives of this Act, there is hereby created in the Office of the President a National Manpower and Youth Council, hereinafter referred to as the Council composed of the Secretary of Labor as ex-officio chairman, the Secretary of Education as ex-officio vice-chairman, and as ex-officio members: the Chairman of the National Economic Council, the Secretary of Agriculture and Natural Resources, the Secretary of Social Welfare, the Secretary of Community Development, and the Chairman of the National Science Development Board; and the Director-General of the Council who shall have no vote. In addition, the President shall appoint the following members from the private sector with the consent of the Commission on Appointments: two representatives of national organizations of industry; two representatives of national labor organizations; and two from national family and youth organizations for a term of three years and shall be entitled to per diems of twenty-five pesos for each meeting and payment of travelling and necessary expenses incurred in connection with their duties therewith. The Council shall meet as often as may be necessary, but not more often than thirty times within one year.

SEC. 5. Functions and Duties of the Council.—The Council shall have the following duties and functions:

- To formulate integrated, comprehensive, long-term plans for efficient allocation, accelerated development, and optimum utilization of manpower and out-of-school youth for economic and industrial growth and organize such training centers, programs and projects as may be necessary to attain the objectives of this Act: Provided,

however, That all such programs and projects shall be purely voluntary on the part of the trainees;

- To establish a National Manpower Skills Center under its authority and supervision for demonstration and research in accelerated manpower and youth training as well as regional and local training centers for gainful occupational skills in suitable locations, utilizing its own facilities and/or those of selected educational institutions, government agencies, and voluntarily cooperating employers, trainees and civic groups in nationwide, industry-wide or specific programs and projects, and to adopt employment promotion schemes to channel unemployed youth to critical and other occupations;
- To promulgate policies and standards for man-power and youth training, conduct studies and gather information on the size and characteristics of the population and labor force, and adopt policies in skills development among unemployed and underemployed persons, as well as render assistance in skills upgrading among craftsmen, technicians, trainers, and other persons;
- To administer all existing manpower and development programs now being done under any department of the government of the Philippines and ongoing technical assistance programs and/or grants in aid for manpower and youth development, and those which may be entered into between the Government of the Philippines and international and foreign organizations and nations, as well as persons and organizations in the Philippines. The Council shall have authority to enter into agreements needed to implement programs and to act on nominations of citizens of the Philippines for training in other countries or jurisdictions;
- To evaluate the output of human resource development programs to gear educational and training objectives to the requirements of the annual investment priorities plan and of rapid economic development, and to study levels of wages and incentives for the utilization of manpower in critical occupations;
- To provide training assistance to any employer or group of employers, upon filing of the appropriate petition with the Secretariat requesting for accelerated or other forms of training, commencement or expansion of operations and upon the finding that the trainees or a reasonable number thereof will be hired by the petitioning employer or industry at the completion of the training course, in which cases, screening, payment of training fees, and pretesting of trainees shall pertain to the applicant firm or industry including the use of equipment and supplies for training purposes;
- To submit an annual report to the President and to Congress on plans, programs and projects on man-power training and out-of-school youth development. For this purpose, the Council may require all government agencies to provide information in the preparation of said report; and
- To perform such other functions as will fully carry out the declared national policy on manpower and out-of-school youth under this Act.

SEC. 6. Council Secretariat.—For the fulfillment of the objectives of this Act and the efficient performance of its functions, the Council shall have a Secretariat headed by a Director-General appointed by the President on recommendation of the Council with the consent of the Commission on Appointments. The Director General shall organize the Secretariat, subject to the approval of the Council. The Secretariat shall have an Office of Man-power Planning and Development, an Office of Out-of-School Youth Development, and a National Manpower Skills Center.

The Director-General shall have the rank and emoluments of an undersecretary and shall serve for a term of ten years. The directors of the offices and the skills center shall have the rank and emoluments of a bureau director and shall be subject to civil service rules. The Director-General and directors shall be natural born citizens, from 35 to 50 years of age at the time of appointment, have a masters degree or its equivalent, and experience in

national planning and development of human resources. The director of the Skills Center shall, in addition to the foregoing qualifications, have undergone training in center management. Directors shall be appointed by the President on recommendation of the Council with the consent of the Commission on Appointments.

SEC. 7. Manpower Training Consultative Board and Youth Consultative Board.—There are hereby established in the Secretariat the following consultative boards:

- Manpower Training Consultative Board of not more than 10 members, composed of the Director-General as ex-officio chairman, the directors of the Office of Manpower Planning and Development and the Bureau of Vocational Education as ex-officio vice-chairmen and, as members, three representatives of labor and representatives of such industries as shall be determined by the Council upon recommendation of the Director-General. The Board shall provide technical guidance and accreditation standards for measurement of proficiency among workers, and vocational-industrial trainers on all levels of industry and government.

- Youth Consultative Board of not more than 10 members, composed of the Director General as ex-officio chairman, the director of Out-of-School Youth Development Office as vice-chairman and as members: the director of the Women and Minors Bureau and such consultants necessary for the work of the Office of Out-of-School Youth Development upon recommendation of the Director of said Office and appointment by the Council, which shall provide technical guidance in the planning and conduct of out-of-school youth training and development programs and projects, as well as longrange policies in their effective guidance for economic and industrial growth.

The honoraria and travelling and other necessary expenses of representatives and consultants shall be determined by the Council. In addition, the Secretariat may avail of the technical guidance of persons, groups, and organizations as may in its judgment aid in the effective performance of its functions and duties under this Act.

SEC. 8. Local Manpower and Youth Committees.—The Council shall have the authority to- establish in the provinces and chartered cities local manpower and youth committees: Provided, however, That such committees shall not include as members thereof officers, enlisted men or any personnel of the Armed Forces of the Philippines or of the Philippine Constabulary. Subject to the approval of the Council, the committees shall plan and conduct accelerated manpower training and out-of-school youth projects, determine manpower needs of industry, agriculture, and other sectors of the economy within their respective jurisdictions, and perform other duties as may be assigned by the Council or by law. Each committee shall be composed of the head of the city or provincial development board or agency as chairman, the head of the training center as vice-chairman, with one prominent leader of industry, one prominent labor leader, and one civic or education leader as members who shall receive no compensation except per diems at fifteen pesos for each monthly meeting and payment of travelling expenses incurred in connection with their duties therewith. Committee members shall be appointed by the Council and serve for a term of three years.

SEC. 9. Employment Service Training Functions.—The Office of Manpower Services under the Department of Labor shall render assistance to the Council in the measurement of unemployment and underemployment, conduct of local manpower resource surveys and occupational studies including an inventory of the labor force, establishment and maintenance without charge of a national register of technicians who have successfully completed a training program under this Act, and skilled manpower including its periodic publication, maintenance of an adequate and up-to-date system of employment information and for this purpose, all chartered cities and provinces shall organize local employment offices under the administrative control and the technical supervision of the Department of Labor.

SEC. 10. Qualifications and Appointment of Personnel.— The Director-General shall appoint such personnel as

may be necessary to carry out this Act, subject to civil service rules: Provided, That except for those appointed to positions involving purely clerical functions no person shall be entitled to permanent appointment except upon satisfactory completion of such career development courses as for manpower planning staff officers, manpower training officers, youth development officers, youth training officers and like or relevant courses as shall be prescribed by the Council: and Provided, further, That after one year from the approval of this Act, the Civil Service Commission, with the assistance of the Council shall hold appropriate competitive written and oral examinations as basis for permanent appointments therein. The Director-General shall see to it that appointees are selected on the basis of superior performance standards in line with the highly specialized functions assigned in this Act and shall certify to the same in appointments submitted for attestation by the Civil Service Commission.

SEC. 11. Other Training Programs.—To avoid duplication of functions and wasteful expenditure and in order to standardize the quality of skills training through trade test standards and measurements, training programs conducted regularly by other government agencies and instrumentalities, not otherwise covered by the provisions of this Act, shall be discontinued and whatever funds are being diverted or used for existing manpower and youth development programs shall revert to the offices to which they belong.

SEC. 12. Rules and Regulations.—The Council shall issue the rules and regulations necessary to implement the provisions of this Act.

SEC. 13. Appropriations.—To carry out the provisions of this Act, the sum of twenty million pesos or so much thereof as may be necessary is hereby appropriated out of the funds in the national treasury not otherwise appropriated to be distributed as follows:

- For personnel and maintenance expenses of the Secretariat of the Council, the Manpower Training Consultative Board, the Youth Consultative Board, and Local Manpower and Youth Committees, the sum of two million pesos;
- For the establishment of the Council site, buildings, and equipment of the National Manpower and Skills Center for the implementation of technical assistance projects with the United Nations and other foreign and international sources, the sum of six million pesos;
- For the establishment and operation of manpower training centers in the cities and provinces, the sum of six million pesos; and
- For the establishment, maintenance and operation of out-of-school youth centers, the sum of six million pesos.

Thereafter, the said amount or such amount as may be necessary shall be included in the general appropriations Act.

SEC. 14. Separability.—If for any reason, any part of this Act is declared unconstitutional or invalid, no other section or provision of this Act shall be affected thereby.

SEC. 15. Repeal.—Any and all Acts, statutes, rules and regulations or parts thereof inconsistent herewith are hereby repealed, including Executive Order No. 83 series of 1967 and Executive Order No. 53 of December 8, 1966.

SEC. 16. Effectivity.—This Act shall take effect upon its approval.

Approved, April 11, 1969.

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