



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-118

23rd Regular Session

ORDINANCE NO. SP- 3195, S-2023

AN ORDINANCE INSTITUTIONALIZING AND LOCALIZING THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS (SPES) AND OUT-OF-SCHOOL YOUTH (OSY), PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Introduced by Councilor EDGAR "Egay" G. YAP.

Co-Introduced by Councilors Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, and Alfredo "Freddy" Roxas.

WHEREAS, it is the State's policy to establish and maintain a system of assistance to out-of-school-youth and poor but deserving students;

WHEREAS, Republic Act No. 9155, otherwise known as the "Governance of Basic Education Act of 2001", provides that it is the "policy of the State to protect and promote the right of all citizens to quality basic education and to make such education accessible to all by providing all Filipino children a free and compulsory education in the elementary level and free education in the high school level. Such education shall also include alternative learning systems for out-of-school youth and adult learners. It shall be the goal of basic education to provide them with the skills, knowledge and values they need to become caring, self-reliant, productive and patriotic citizens";

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WHEREAS, the State, through Republic Act No. 9155, encourages local initiatives for improving the quality of basic education and employability of students and out-of-school youth;

WHEREAS, Republic Act No. 7323, otherwise known as the "Special Program for Employment of Students (SPES)", was enacted to help the poor but deserving students pursue their education, by encouraging their employment during summer and/or Christmas vacations through incentives granted to employers who are allowed to pay only sixty percent (60%) of SPES beneficiary's salaries and wages, and forty percent (40%) through education vouchers paid by the government;

WHEREAS, SPES is Department of Labor and Employment (DOLE)'s youth employment-bridging program which aims to provide temporary employment to poor but deserving students, out-of-school youth, and dependents of displaced or would-be displaced workers, during summer and/or Christmas vacation or any time of the year, to augment the family's income to help ensure that beneficiaries are able to pursue their education;

WHEREAS, this program mandates the DOLE to work with relevant government agencies in order to enhance social protection. SPES is a significant addition to the Emergency Community Employment Program (ECEP) of the government aimed at creating jobs that can provide income to young workers, which they can spend on fundamental needs;

WHEREAS, SPES enhances the employability of youth who will eventually come to be the country's future workforce. Along with providing students with experience while earning income, SPES is designed to increase employment opportunities for young people in the long-term;

WHEREAS, Republic Act No. 9547 expanded the coverage of SPES, amending for the purpose the provisions of Republic Act No. 7323, by increasing the period of employment from twenty (20) to fifty-two (52) working days, except during Christmas vacation, which working days shall be from ten (10) to fifteen (15);

WHEREAS, Republic Act No. 10917 also extends the SPES employment period from fifty-two (52) days to seventy-eight (78) days or three (3) months, and raises the age limit of the program's beneficiaries from the current 15-25 years old to 15-30 years old;

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WHEREAS, Republic Act No. 10917 aims to expand the coverage of SPES to include not only poor but deserving students, but also out-of-school youth, dependents of displaced workers, and would-be displaced workers, due to business closures or work stoppages, or natural calamities, who intend to enroll in any secondary, tertiary, or technical-vocational institutions;

WHEREAS, it is our policy in Quezon City to institutionalize interventions for the benefit of out-of-school youths, who are in especially difficult circumstances, such as those who are victims of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, out-of-school youth in conflict with the law, and other related situations, that have a direct impact to their functional incapacity in society;

WHEREAS, pursuant to Section 2 of Republic Act No. 8759, as amended, otherwise known as the "Public Employment Service Office (PESO) Act of 1999", PESO shall endeavor to reach out to qualified beneficiaries to pursue their education by facilitating their employment.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "SPES-OSY Ordinance of Quezon City".

SECTION 2. DECLARATION OF POLICY. - The Quezon City values the dignity of every human person, guarantees full respect for human rights, and recognizes the rights of the youth to quality education and full employment; and the right of out-of-school youth to social protection and development. Towards this end, the City shall promulgate measures to:

1. Create youth employment-bridging program which aims to provide temporary employment to poor but deserving students, out-of-school youth, and dependents of displaced or would-be displaced workers, during summer and/or Christmas vacation or any time of the year, to augment the family's income to help ensure that beneficiaries are able to pursue their education;
2. Inspire and encourage the out-of-school youth to contribute to nation-building;

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3. *Contribute to the improvement of the total well-being of the youth by providing educational development and employment opportunities;*
4. *Augment the beneficiaries' income through increased employment opportunities;*
5. *Recognize the important role of the private sector in the improvement of the welfare of out-of-school youth and to actively seek their partnership;*
6. *Implement a local version of SPES to coexist with the current DOLE program in order to expand collaborations with the private sectors throughout the City. Under this provision, the Quezon City Local Government may also incentivize participating business establishments by paying a determined portion of the salaries of SPES beneficiaries. The amount shall be made certain in the Memorandum of Agreement with the subject establishment. This will encourage the private sectors to engage in hiring disadvantaged youths and to promote corporate social responsibility; and*
7. *Establish a systematic approach in having a more diverse and inclusive program which will integrate the children of the most vulnerable sectors in our society including People with Disabilities (PWDs), Solo Parents, Indigenous People (IPs), Persons Deprived of Liberty (PDLs), those belonging to the Informal Economy, and other marginalized groups.*

SECTION 3. DEFINITION OF TERMS. - *For purposes of this Ordinance, the following shall be defined, interpreted, and construed, as follows:*

- a. *PESO - refers to a non-fee charging multi-dimensional employment service facility or entity established and institutionalized in the Local Government Units as stated in the Implementing Rules and Regulations of the PESO Act of 1999.*
- b. *QCitizen ID - refers to the identification card issued by the Quezon City Government.*
- c. *SALARY - shall refer to the prevailing DBM Salary Standardization Law rate of Salary Grade 1 for the SPES beneficiaries.*

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- d. SPES - youth employment-bridging program which aims to provide temporary employment to poor but deserving students and out-of-school youth to assist and encourage beneficiaries to pursue education.
- e. SPES applicants - the prospective SPES beneficiaries intending to apply in the program to continue their education in any secondary, tertiary, or technical-vocational institutions, categorized as follows:
 - 1. Students - those currently enrolled in any secondary, tertiary, or technical-vocational institutions.
 - 2. Out-of-School Youth (OSY) - those who are not enrolled at the time of application in a formal education or training institution but intend to enroll in the following school year/term.
- f. SPES beneficiaries - successful SPES applicants who passed the qualification with complete requirements who are considered placed under the program.

SECTION 4. QUALIFICATIONS. - The following are the qualifications to be admitted to the program.

- a. A resident of Quezon City;
- b. At least 15 years of age but not more than 30 years of age;
- c. Enrolled during the school year/term or enrolled during school year/term immediately preceding the application;
- d. The combined net income after tax of parents, including household income, if any, does not exceed the annual poverty threshold set by the National Economic Development Authority (NEDA); and
- e. Has at least garnered an average passing grade during the school year/term.

SECTION 5. REQUIREMENTS. - Accepted applicants must submit the following to become trainees:

- a. 1 photocopy of QCitizen ID;
- b. 3 original copies of bio-data with picture;

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- c. SPES Application Form;
- d. Proof of household income:
 - 1. For applicants whose parents are income-earners: 1 photocopy of Income Tax Return (ITR) or photocopy of Certificate of Exemption from BIR.
 - 2. For applicants whose parents are not income-earners: Original copy of Certificate of Indigency from Barangay or Social Services Development Department (SSDD).
- e. Proof of highest educational attainment:
 - 1. For high school students:
 - a) 1 photocopy of Form 137 (Student's Permanent Record) for previous school year.
 - 2. For college students:
 - a) 1 photocopy of current school year registration form or 1 photocopy of previous year's class card.
 - 3. For out-of-school youth:
 - a) Original copy of certification stating that he/she is out-of-school youth from Barangay or Social Services Development Department (SSDD);
 - b) Salaysay - a letter stating the reason why he/she was not able to enroll;
 - c) Form 137 (Student's Permanent Record) or Form 138 (Report Card), Class Card or Registration Form from last school attended, whichever is applicable.

SECTION 6. PERIOD OF EMPLOYMENT. - The number of days shall not be less than thirty (30) working days.

SECTION 7. IMPLEMENTING OFFICE. - For purposes of executing the provisions of this Ordinance, the Public Employment Service Office (PESO) shall be responsible in ensuring that provisions of this ordinance are properly implemented.

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SECTION 8. PAYMENT OF SALARY. - The PESO and DOLE shall pay the SPES beneficiary's salary in cash based on the Salary Standardization Law (Salary Grade 1). PESO shall provide 60% of the salary while the 40% shall be shouldered by the DOLE.

SECTION 9. TERMINATION AND SUSPENSION. - The PESO shall retain the right to terminate and suspend the employment of SPES beneficiaries if in its assessment and investigation, the beneficiary has committed infractions of this Ordinance and its Implementing Rules and Regulations.

SECTION 10. FUNDING. - The budget necessary for the purpose is hereby allocated annually and shall be sourced out of the funds of the PESO.

Provided, That the appropriation, for the purposes of this Ordinance, shall not be reduced below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released: Provided, further, that the appropriation herein shall be increased by at least twenty percent (20%) annually.

SECTION 11. EXPANDED AND LOCALIZED SPES. - The local government of Quezon City shall forge partnership with the private sector, wherein part of the salary will be shouldered by the concerned private company and a portion thereof shall be borne by the QC-PESO.

SECTION 12. MONITORING AND EVALUATION. - The PESO, in coordination with the DOLE, shall be responsible in designing and conducting a monitoring and evaluating system of the program implemented. The PESO shall submit an accomplishment report to the Office of the City Mayor and furnish the same to the City Administrator.

SECTION 13. IMPLEMENTING GUIDELINES. - PESO shall formulate the implementing guidelines of this Ordinance within six (6) months from the date of its passage.

SECTION 14. REPEALING CLAUSE. - All ordinances, resolutions, executive orders, memorandum circulars, administrative orders, and other issuances or part thereof, which are inconsistent with or contrary to the provisions of this Ordinance, are hereby amended or repealed accordingly.

SECTION 15. SEPARABILITY CLAUSE. - If a specific section of this Ordinance is declared unconstitutional, the remaining provisions not affected thereby shall remain valid and effective.

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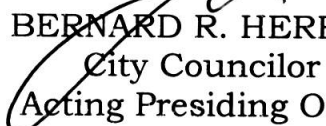
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SECTION 16. EFFECTIVITY CLAUSE. - This Ordinance shall take effect after thirty (30) days upon its approval.


ENACTED: February 20, 2023.


BERNARD R. HERRERA
City Councilor
Acting Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Dept. Head III

APPROVED: APR 7 2023


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 20, 2023 and was PASSED on Third/Final Reading on February 27, 2023.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Dept. Head III



