

THIRTEENTH CONGRESS OF )  
THE REPUBLIC OF THE PHILIPPINES )  
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SENATE  
P.S. Res. No. 247

RECEIVED BY: \_\_\_\_\_

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INTRODUCED BY HONORABLE MAR ROXAS

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A RESOLUTION

URGING THE SENATE COMMITTEES ON LABOR, EMPLOYMENT AND HUMAN DEVELOPMENT AND FOREIGN RELATIONS, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE TECHNICAL TRAINING ARRANGEMENTS AND OTHER BILATERAL TECHNOLOGY TRANSFER PROGRAM ENTERED INTO BY THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TO REVIEW THE IMPLEMENTATION OF THE SAME AND TO ENSURE THAT THE PROFESSIONAL AND ECONOMIC WELL-BEING OF FILIPINO TRAINEES ARE UPHELD AT ALL TIMES

WHEREAS, the 1987 Constitution, in Article II, Section 18, affirms labor as a primary social and economic force. It shall protect the rights of workers and promote their welfare;

WHEREAS, the Technical Educational and Skills Development Authority was created by virtue of Republic Act No. 7796 in 1994 to promote and strengthen the quality of technical education and skills development programs in the Philippines in order to attain international competitiveness and focus the technical education and skills development on meeting the changing demands for quality middle-level manpower;

WHEREAS, under the same Act, TESDA has as one its goals and objectives the promotion and the strengthening of the quality of technical education and skills development programs to attain international competitiveness by setting up apprenticeship programs, dual system/training, vocational, administrative or technical training programs, and other skills development programs;

WHEREAS, under its Charter, TESDA may enter into, make, execute, perform and carry out domestic and foreign contracts subject to existing laws, rules and regulations. It shall likewise have the authority to review and recommend action on proposed technical assistance programs and grants in aid for technical education or skills development, or both, including those which may be entered into between the Government of the Philippines and other nations, including international and foreign organizations, both here and abroad;

WHEREAS, on October 1992, TESDA entered into a technical arrangement with Japan International Training Cooperation Organization (JITCO) and pursuant to this agreement, the Philippines was able to deploy 20,337 trainees under its Industrial Training Program, and 4,344 trainees under its Technical Internship Program since 1992;

WHEREAS, pursuant to said agreement, thirty-nine (39) trainees were sent to Japan on 29 June 2003 and 17 October 2003, respectively, for training;

**WHEREAS**, on 16 September 2004, said trainees were repatriated to the Philippines;

**WHEREAS**, on 30 November 2004, the Center for Migrant Workers reported that these trainees were allegedly victims of exploitation under the employ of Nitto Denko, which subjected them to overtime work, accommodating them in overcrowded dormitories, making them perform menial tasks similar to those performed by regular workers, confining their movements and curtailing their freedom to travel, and treating them as laborers rather than trainees;


**WHEREAS**, it was also alleged in the same report that prior to departure, aside from assuming the fees for their medical examination, trade test, processing of passport, and fees for various certifications, the Philippine sending organization made the complainants open checking accounts and consequently issue blank checks in its name, supposedly to answer for damages incurred by it should the trainee violate any of the terms of the contract, which is contrary to the principle of technical arrangements that no fee shall be borne by the trainee;

**WHEREAS**, these allegations, if proven true, are in clear violation of the intent and provisions of law on technical education and skills development and the rules governing the TESDA-JITCO technical arrangement as well as other laws;

**WHEREAS**, there is a need to review and evaluate sending organizations and to tighten the training program so as not to promote illegal recruitment and violation of labor laws and ensure safety and fair treatment of Filipinos sent for training;

**WHEREAS**, there is a need to review the laws on technical arrangements entered into by the Philippines with other countries to determine the benefits incurred by our local workers and industries for technological advancement, assess the relevance of the same in view of the purposes of the law on technical education and skills development, and to resolve the problems in its effective implementation;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to urge the Senate Committee on Labor, Employment and Human Development, to conduct an inquiry, in aid of legislation, into the technical training arrangements and other bilateral technology transfer program entered into by TESDA to review the implementation of the same and ensure that the professional and economic well-being of Filipino trainees are upheld at all times

  
MAR Roxas  
Senator