

**[ REPUBLIC ACT NO. 2628, June 18, 1960 ]**

**AN ACT TO AMEND REPUBLIC ACT NUMBERED ONE THOUSAND EIGHT HUNDRED TWENTY-SIX ENTITLED "AN ACT ESTABLISHING AN APPRENTICESHIP TRAINING SYSTEM AND A NATIONAL APPRENTICESHIP COUNCIL, DEFINING THE POWERS AND DUTIES OF THE SAID COUNCIL AND PROVIDING FUNDS THEREFOR."**

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

SECTION 1. A new section, two-A, is hereby added to Republic Act Numbered One thousand eight hundred and twenty-six, to read:

"SEC. 2-A. For these purposes, there is hereby established a National Apprenticeship Council, hereinafter called the Council, composed of seven members, two of whom shall represent employers, two shall represent employees, one shall represent the public, and one each from the Department of Labor and the Department of Education.

The members of the Council shall be appointed by the President upon the recommendation of the Secretary of Labor with the consent of the Commission on Appointments. The chairman shall be so designated in his appointment. Of the members first appointed, four shall hold office for one year and the other three, for two years. At the expiration of their respective terms, their successors shall be appointed for the term of two years reckoned from the date of such expiration. All vacancies, except those created through expiration of the term, shall be filled for the unexpired term only. Members of the Council shall not receive compensation but members who are not government employees shall be entitled to *per diems* not exceeding twenty-five pesos for each day of actual attendance, and to reimbursement for all necessary travelling expenses actually incurred in attending to their duties in the Council.

The Secretary of Labor may appoint such trade or industry committees as may be necessary to advise and assist the Council in carrying out the purposes of this Act. Each of such committees shall be composed of an equal number of representatives of employers and employees and one representing the public who shall act as chairman."

SEC. 2. Section three of Republic Act Numbered One thousand eight hundred and twenty-six is hereby amended to read as follows:

"SEC. 3. It shall be the duty and function of the Council:

- a. To organize and develop an apprenticeship program by which the requirements for trained labor may be met;
- b. To secure the cooperation of government agencies and private organizations and institutions, including those providing vocational guidance and training, in effecting coordination in the development of apprenticeship;
- c. To recommend appropriate measures for the promotion of apprenticeship;
- d. To assist and cooperate in determining the number of apprentices and skilled workers needed for each trade and occupation, and in promoting the proper distribution of manpower resources to meet the needs of the national economy and the labor requirements of employers so as achieve the fullest and most effective utilization of manpower resources;
- e. To enable workers to make full use of their natural talents and abilities to advance their opportunities for steady employment;
- f. To determine apprenticeable trades and occupations in accordance with the rules, regulations and standards promulgated under this Act;
- g. To establish minimum standards of training in apprenticeable trades and occupations;
- h. To formulate and adopt standards for effecting employment of apprentices under different conditions, by setting out their qualifications for employment, number of apprentices, required education, age limitations, aptitudes, term of apprenticeship, wages, working hours, vacation with pay, and other matters;
- i. To lay down minimum standards and procedures for the examination of apprentices, the execution and registration of apprentices and apprenticeship agreements, the methods of supervision and the duration of the apprentices' work on the job and at school, and the methods of examination of apprentices at the end of their training;
- j. To stipulate the grounds under which an apprenticeship agreement may be terminated or otherwise revoked by either or both parties before the expiration of its term;
- k. To promulgate such rules and regulations as may be necessary to carry out the intents and purposes of this Act, including the denial of apprentices to any employer that has violated any provisions of this Act, rule or regulation promulgated thereunder, or of any apprenticeship agreement; and
- l. To make and submit, not later than February first of each year, a report through the Secretary of Labor of its activities, accomplishments and findings to the President and to the Congress of the Philippines.

SEC. 3. A new section, three-A, is hereby added to Republic Act Numbered One thousand eight hundred and twenty-six, to read:

"SEC. 3-A. An administrative machinery called "Office of Apprenticeship" in the Department of Labor is hereby created under a chief to be appointed by the President upon the recommendation of the Secretary of Labor, with the consent of the Commission on Appointments, who, at the time of his appointment should have had specialized training in apprenticeship administration, planning, programming and adequate experience in apprenticeship legislation for not less than two years. The chief of the office of apprenticeship shall have a compensation of seven thousand two hundred pesos *per annum* which shall be adjusted in accordance with Republic Act Numbered Nine hundred and ninety-seven as implemented.

The Secretary of Labor shall also appoint such clerical, technical, and professional assistants as may be necessary to the proper operation of this office, and no person shall be appointed technical or professional assistant unless he has had adequate training for the performance of his duties."

SEC. 4. Section four of Republic Act Numbered One thousand eight hundred and twenty-six is hereby amended to read as follows:

"SEC. 4. The Office of Apprenticeship shall:

- a. Act as secretariat to the National Apprenticeship Council;
- b. Implement and supervise standards in apprenticeship that may be formulated by the Council and carry out the apprenticeship program envisioned by this Act;
- c. Assist and cooperate with the Council in the development and formulation of policies, rules, regulations, standards and plans;
- d. Promote the purposes of this Act by bringing employers and workers together and assisting them in working out appropriate apprenticeship programs;
- e. Conduct research on matters affecting apprenticeship and compile and disseminate such research currently;
- f. Provide technical and advisory services to the council, several apprenticeship committees, employers, association of employers, employees, associations of employees, and other interested parties, in the development, maintenance, and operation of apprenticeship programs;
- g. Provide services for the review and appraisal of proposed apprenticeship programs and apprenticeship agreements;
- h. Maintain a register of apprentices, apprenticeship agreements, and apprenticeship programs;
- i. Maintain currently a record of all apprenticeship committees and management-labor committees and all employers operating under approved apprenticeship programs;
- j. Approve, disapprove, suspend, revoke or terminate plant apprenticeship programs and apprenticeship agreements, and issue certificates of completion of apprenticeship;

- k. Act as a clearing house for the operation of apprenticeship programs in different areas, industries and occupations;
- l. Disseminate such information regarding apprenticeship as may be necessary to bring about a better understanding of the purposes of the apprenticeship programs provided by this Act and to arouse public interest in such programs; and
- m. Protect and promote the welfare of apprentices."

SEC. 5. A new section, four-A, is hereby added to Republic Act Numbered One thousand eight hundred and twenty-six, to read:

"SEC. 4-A. It shall be unlawful for an employer to enter into an apprenticeship agreement or otherwise employ an apprentice in any apprenticeable trade or occupation declared as such by the Council without having a certification in writing by the Office of Apprenticeship to the effect that the plans and standards of the apprenticeship program comply with the provisions of the law and measures up to the standards and policies laid down by the National Apprenticeship Council.

Any violation of the provisions of this section shall be punished by a fine of not less than one hundred pesos nor more than five hundred pesos, or by imprisonment for not less than thirty days nor more than one year, or both such fine and imprisonment in the discretion of the court.

If the violation is committed by a firm, association, or corporation, the penalty shall be imposed on the officer or officers thereof who are responsible for the violation.

SEC. 6. Section five of Republic Act Numbered One thousand eight hundred and twenty-six is hereby amended to read as follows:

"SEC. 5. Any employer with an approved apprenticeship program may enter into an apprenticeship agreement with a qualified apprentice. Each apprenticeship agreement shall contain:

- a. The full names of the contracting parties;
- b. The date of birth of the apprentice;
- c. A statement of the trade, craft, or business in which apprenticeship is sought, and the date on which apprenticeship will begin or end;
- d. A statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, the total of which hours shall, in no case, be less than those established by the Council pursuant to this Act: *Provided*, That the combined hours of work and of the required related and supplemental instruction of the apprentice shall not exceed the maximum number of hours of work prescribed by the law for a worker of the age and sex of the apprentice: *Provided, further*, That no overtime work for apprentices shall be permitted;