

# JOINT MEMORANDUM CIRCULAR NO. 001

Series of 2019

## IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11261, OTHERWISE KNOWN AS THE “FIRST TIME JOBSEEKERS ASSISTANCE ACT”

*Pursuant to Section 13 of R.A. No. 11261 or the First Time Jobseekers Assistance Act, the following Implementing Rules and Regulations are hereby issued.*

**Section 1. Declaration of Policy.** It is the policy of the State to promote full employment and equality to gainful work and expand opportunities for its citizens. As such, the State shall expand accessibility to government services and provide incentives to improve first time jobseeker’s access to employment.

The State adopts the International Labour Organization’s (ILO) Principle of Employment Policy that fully recognizes the implementation of economic and social policies in promoting full and productive employment.

**Section 2. Definition of Terms.** As used in this Rules, the following terms shall mean:

- a) **Act** – An Act Waiving Government Fees and Charges in the Issuance of Documents Required in the Application for Employment of First Time Jobseekers otherwise known as the “First Time Jobseekers Act” (R.A. No. 11261).
- b) **Barangay Certification** – document issued and signed by the Punong Barangay or his/her authorized officer that the person to whom said certification is a resident of the Barangay for at least six (6) months and is a first time job seeker.
- c) **Employment** - exists when a person performs work or services under certain conditions in return for remuneration or pay, whether in formal or informal setting, except those entrepreneurs/business owners, independent contractors, and beneficiaries of government programs such as Government Internship Program, Special Program for Employment of Students, and other similar programs.
- d) **First Time Jobseeker** - a Filipino citizen, who is actively seeking employment, locally or abroad, for the first time, as certified by the barangay of which he/she is a resident for the said purpose, particularly:

1. Graduates from all schools, colleges, and universities, and learning institutions offering technical-vocational courses.

For purposes of this Rules, a graduate is a Filipino who finished an associate degree or a bachelor's degree from any college or university, or completed a technical-vocational course from any learning institution in the Philippines, as well as high school graduates who have completed the K-12 program;

2. An early school leaver or out of school youth (OSY);
  3. A person not employed or engaged in education or training, who was not previously enrolled in any educational institution or who has not finished secondary education;
  4. A student taking a leave of absence from an institution offering college or tertiary education or from a technical-vocational course; or
  5. Any person intending to work while enrolled in any school, college, university, or learning institution offering technical and vocational courses.
- e) **First Time Jobseekers Assistance Database System** – is a central repository of data compiled by the DICT to provide the concerned and relevant national government agencies (NGAs) and local government units (LGUs) access to the data of first-time jobseekers for the purpose of verifying and validating the availment of the benefits provided by this Rules.
- f) **Inter-Agency Monitoring Committee or “Committee”** - composed of the Secretary of Labor and Employment as Chairperson, Heads of Agency of CSC, DICT, DOF, DepED, DILG, NYC, TESDA, as members; and other government agencies whose participation to the Committee may be deemed necessary.
- g) **JobStart Philippines** - program of the DOLE designed to enhance the employability of at-risk youth to improve their integration into productive employment through the provision of full cycle employment facilitation services including job search assistance, free technical and life skills trainings, placement in internships, and job referral from the PESOs.
- h) **One-Stop-Shop** - existing and would be established mechanism/s that provide pre-employment services from the different government agencies.
- i) **Oath of Undertaking** – duly executed by the First Time Jobseeker before the Punong Barangay or his duly authorized officer, assuming to abide and be bound by the obligations set forth therein as conditions for the availment of the benefits of the First Time Jobseekers Act.

- j) **Rules** – refers to the Implementing and Rules and Regulations of the First Time Jobseekers Assistance Act.
- k) **BIR** - Bureau of Internal Revenue
- l) **CHED** - Commission on Higher Education
- m) **CSC** - Civil Service Commission
- n) **DBM**- Department of Budget and Management
- o) **DepED** - Department of Education
- p) **DICT**- Department of Information and Communications Technology
- q) **DOF** -Department of Finance
- r) **DFA** - Department of Foreign Affairs
- s) **DOH** - Department of Health
- t) **DOLE** - Department of Labor and Employment
- u) **DILG** - Department of the Interior and Local Government
- v) **DOJ** - Department of Justice
- w) **Entrepreneur** – an individual engaged in the design, creation, establishment and/or management of a micro, small or medium enterprises.
- x) **GOCCs** – Government Owned and Controlled Corporations
- y) **GSIS** - Government Service Insurance System
- z) **Independent Contractor** - any person with substantial capitalization and investment who offers services to another for a fee under a written contract in which no employer-employee relationship is created.
- aa) **LGUs** - Local Government Units (the Provinces, Cities, Municipalities, and Barangays).
- bb) **LTO** - Land Transportation Office
- cc) **LUCs** - Local Universities and Colleges
- dd) **MARINA** - Maritime Industry Authority

- ee) **NBI** - National Bureau of Investigation
- ff) **NPC** - National Privacy Commission
- gg) **NYC** - National Youth Commission
- hh) **PESOMAP** - Public Employment Service Office Managers Association of the Philippines Incorporated
- ii) **PhilHealth** - Philippine Health Insurance Corporation
- jj) **PESO** - Public Employment Service Office
- kk) **POEA** - Philippine Overseas Employment Administration
- ll) **PNP** - Philippine National Police
- mm) **PRC** - Professional Regulations Commission
- nn) **PSA** - Philippine Statistics Authority
- oo) **SSS** - Social Security System
- pp) **SUCs** - State Universities and Colleges
- qq) **TESDA** – Technical Education and Skills Development Authority

**Section 3. Waiver of Fees and Charges.** Subject to exceptions provided in Section 8 of the Act, all government agencies and instrumentalities, including government-owned and controlled corporations (GOCCs), local government units (LGUs), and government hospitals shall not collect fees or charges from a first time jobseeker: Provided, That such fee or charge is paid in connection with the application for and granting of licenses, proofs of identification, clearances, certificates or other documents usually required in the course of employment locally or abroad: Provided, further, That every qualified first time jobseeker may avail the benefits provided under this Rules shall only once, and for one copy of every document or transaction only. The first time jobseeker may request for additional/subsequent copy/ies with charge or fee.

**Section 4. Covered Beneficiaries, Eligibility, and Requirements.** The beneficiaries of the Act must be a:

- a) Filipino citizen;
- b) First time jobseeker;

- c) Actively looking for employment; and
- d) Resident of the barangay issuing the barangay certification for at least six (6) months.

Any person availing of the benefits under this Rules shall secure and present the Barangay Certification stating that he/she is a first time jobseeker and a resident of the Barangay issuing said certification for at least six (6) months. The Barangay shall issue an original copy free of charge and retain its own original copy.

The validity of availment of the benefits under this Rules shall be one (1) year from the issuance of Barangay Certificate.

**Section 5. Covered Governmental Transactions.** – Subject to the requirement in Section 4, no fees and other charges shall be collected from first time jobseekers when obtaining the following:

- a) Barangay certification and clearance for First Time Jobseekers
- b) Police clearance issued by the local or national PNP office
- c) NBI clearance
- d) Medical certificate from public hospitals, except for laboratory tests and other medical procedures that are required in the grant of a medical certificate
- e) Birth and marriage certificate issued by PSA.
- f) Transcript of academic records, and/or certificate of graduation/completion, and/or diploma, issued by state colleges and universities and local universities and colleges
- g) Taxpayer's Identification Number (TIN) issued by the BIR; and
- h) Other documentary requirements, such as: CSC Certificate of Eligibility; PhilHealth ID; POEA Certificates; Mayor's Clearance issued by Business Processing and Licensing Office; MARINA Certificates; TESDA National Certificates and Certificates of Competencies for those who actually underwent the process of TESDA's Competency Assessment; and other issued by the government agencies that may be required by employers from job applicants.

**Section 6. The Inter-Agency Monitoring Committee** as the oversight body for compliance of the government agencies shall:



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- a) Ensure the proper implementation by allowing the qualified beneficiaries to avail of the benefits of the Act;
- b) Monitor the compliance of the concerned government agencies and instrumentalities and shall thereafter report to the Committee on Labor and Employment to both Houses of Congress; and
- c) Recommend to the proper authorities the filing of an administrative complaint, against a person who refuses to comply with the provisions of this Rules.

**Section 7. Duties and Responsibilities.** The following are the duties and responsibilities of the concerned agencies in issuing certificates or other forms of documents necessary in the implementation of this Rules.

**The Barangay**, using the prescribed forms provided under this Rules, shall:

- a) Issue the barangay certification and/or clearance for employment purposes to the requesting first time jobseeker free of charge and retain its own original copy. The certification and/or clearance shall bear the barangays official letterhead and dry seal ("Annex A");
- b) Administer the Oath of Undertaking ("Annex B") to be signed and executed by the first time jobseeker; and
- c) Submit monthly report ("Annex C") to the respective Municipality/City PESO.

**The DICT** as the central repository and administrator of the database shall:

- a) Develop and maintain the First Time Jobseekers database system of all individuals who have been issued the necessary documents as First Time Jobseekers and make available through the database the roster of beneficiaries which have been submitted by the concerned national government agencies and LGUs;
- b) Issue guidelines relative to the operations of the First Time Jobseekers database system;
- c) Determine access rights to the database in coordination with the Inter-Agency Monitoring Committee;
- d) Secure the database and ensure the confidentiality, integrity and security of information of beneficiaries in compliance with R.A. 10173, otherwise known as, the Data Privacy Act of 2012, and R.A. No. 10175, or the Cybercrime Prevention Act of 2012, and other issuances implementing this Rules;

- e) Develop the framework and formulate the operational guidelines on data sharing among the LGUs and concerned national government agencies, in collaboration with the National Privacy Commission (NPC), DOLE, and DILG;
- f) Generate and submit quarterly report on the operation and use of the First Time Jobseekers database to the Committee Chair of the Inter-Agency Monitoring Committee; and
- g) Conduct capacity building on the use and operation of the First Time Jobseekers Assistance Database System.

**The DOLE shall:**

- a) Act as the Chairperson of the Inter-Agency Monitoring Committee and monitor the compliance of the concerned agencies and instrumentalities.
- b) Identify the information necessary for the reporting of concerned agencies to the DICT.
- c) Process and analyze the quarterly report submitted by DICT for labor market information.
- d) Submit labor market information report to the Committee on Labor and Employment of both Houses of Congress.

**The DILG shall:**

- a) Issue a directive to all Local Government Units regarding compliance to this Rules.
- b) Orient all barangay units and PESO, through the Liga ng mga Barangay and PESOMAP Inc., respectively, on the provisions, duties and responsibilities of the Punong Barangay or his/her authorized and PESO officer under this Rules.
- c) Ensure and monitor compliance on the provisions of this Rules and the monthly submission of reports of the barangays through the city or municipal PESO.

**The PESO shall:**

- a) Refer the first time jobseekers in securing the required pre-employment requirements from relevant government agencies.
- b) Inform and guide the first time jobseekers on the provisions of the Act.



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- c) Aggregate the reports and disaggregate the data using the prescribed monitoring and reporting form under this Rules using the attached template, or as updated (Annex B) for submission to DICT, copy furnished the DILG.

The **PESOMAP** shall inform and cascade to all its member PESO managers their roles, duties and responsibilities in the implementation of this Rules.

The **CSC** shall issue a directive to all its Regional Offices regarding compliance of the Act and this Rules.

**All concerned government agencies shall:**

- a) Commit to use its own guidelines within the agency consistent with this Rules;
- b) Ensure that any beneficiaries of this Rules shall not, in any way, be subject to any form of discrimination in the availment of their benefits;
- c) Issue the requested pre-employment requirements within the prescribed process cycle time pursuant to the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 and other applicable laws, rules, and regulations;
- d) Conduct their respective information dissemination on the First Time Jobseekers Act, including posting at their public information boards, websites, social media accounts and other relevant platforms/media;
- e) Submit summary of monthly reports ("Annex D") to the Committee, through the DICT, until the database of the beneficiaries of the Act shall have been develop;
- f) Maintain and update a roster of all individuals who have been issued First Time Jobseekers documents under this Rules which shall be submitted monthly to DICT;
- g) Comply with the guidelines to be issued by the DICT on the operation and use of the First Time Jobseekers Database System;
- h) Make use of available facilities for the First Time Jobseekers, including the setting up of lane, if feasible;
- i) Ensure compliance of their respective personnel in accordance with the provisions of the Act and this Rules;
- j) Conduct regular consultation with the Inter-Agency Monitoring Committee on issues and concerns to enhance the implementation of this Rules; and
- k) Perform other related functions as may be necessary.



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All government agencies in existing and future **One-Stop-Shop** shall recognize the rights of the beneficiaries of the First Time Jobseekers Act and provide the necessary pre-employment documents and services to the beneficiaries of this Rules.

**Section 8. Responsibilities of the Jobseeker.** To ensure the successful implementation of the Act, the following must be observed by the first time jobseeker:

- a) Secure the barangay certification from his/her place of residence;
- b) Execute an Oath of Undertaking to be provided by the barangay relative to his/her request for a barangay certification;
- c) Present the original barangay certification to the officer of the concerned agency to avail the benefits of the Act;
- d) Abide by the rules of relevant agencies rules in securing a certificate or other pre-employment documentary requirements; and
- e) Report back to the barangay, whether in person or through other modes of communication, after successfully obtaining employment.

**Section 9. Data Sharing Requirements.** The DICT, in collaboration with NPC, shall put in place a framework and guidelines for data sharing, compliant with the Data Privacy Act, and other applicable laws and issuances. All concerned agencies in the implementation of the Act shall abide the same.

**Section 10. Exceptions.** The waiver of fees and charges shall not include the following: those collected with an application to take a professional licensure examination conducted by the PRC, application for a Philippine passport authentication and Apostille from the DFA, application for a Career Service Examination with CSC, and application for a driver's license from the Land Transportation Office (LTO).

**Section 11. Non-Authority to Charge Fees.** This Rules shall not be construed as an implied authority for all government agencies to impose or collect charges and fees in relation to the discharge of their functions if no such authority is already granted under their respective charters or other relevant laws.

**Section 12. Exclusion of JobStart Program Beneficiaries.** The beneficiaries of the JobStart Program under R.A. No. 10869 and other laws that give similar exemptions for the documents or transactions enumerated herein shall not be qualified to avail the benefits under R.A No. 11261.

**Section 13. Interpretation in Favor of the Applicant.** In all cases, any ambiguity in the interpretation of the provisions of this Rules shall be in favor of the applicant.

No government agency or instrumentality shall issue unduly restrictive regulations which will render nugatory the benefits provided under the Act. Such shall constitute an



administrative offense punishable under the Administrative Code and other pertinent laws.

**Section 14. Dispute Resolution.** If there are disputes arising from the implementation of the Act, the first-time jobseeker shall seek redress through a complaint addressed to the Head of the agency concerned.

The Head of the Agency concerned shall act on the complaint within three (3) working days. If the complaint remains unresolved, the matter shall be referred to the Inter-agency Monitoring Committee which may recommend the filing of an administrative complaint against any person who refuses to comply with the provisions of the Act.

**Section 15. Penal Provision.** Any person found guilty of fabrication or falsification shall be liable under the Revised Penal Code.

**Section 16. Funding.** The amount necessary for the implementation of this Rules shall be charged against the respective budgetary allocations of the concerned government agencies, instrumentalities, GOCCs, SUCs, LUCs, subject to the usual budgeting, accounting and auditing rules and regulations.

**Section 17. Separability Clause.** If any provision or part hereof is invalid or unconstitutional, the remainder of these Rules or the provision not otherwise affected shall remain valid and subsisting.

**Section 18. Repealing Clause.** Except as otherwise expressly provided in the Act or these Rules, all other executive orders, proclamations, resolutions, ordinances and administrative regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.


**Section 19. Effectivity.** This Rules shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Manila, Philippines, 11 July 2019.

Approved by:




SILVESTRE H. BELLO III  
Secretary, DOLE



TEODORO LOCSIN JR.  
Secretary, DFA



**CARLOS G. DOMINGUEZ III**  
Secretary, DOF

**GREGORIO B. HONASAN**  
Secretary, DICT 

**EDUARDO M. AÑO**  
Secretary, DILG

**LEONOR MIRASOL BRIONES**  
Secretary, DepED



**FRANCISCO T. DUQUE III**  
Secretary, DOH



**ALICIA DELA ROSA-BALA**  
Chairperson, CSC




**ISIDRO S. LAPEÑA**  
Secretary, TESDA

**PROSPERO E. DE VERA III**  
Commissioner, CHED 



**DANTE A. GIERRAN**  
Director, NBI

**CLAIRE DENNIS S. MAPA**  
Undersecretary, Philippine Statistical  
Authority



**OSCAR D. ALBAYALDE**  
General, PNP

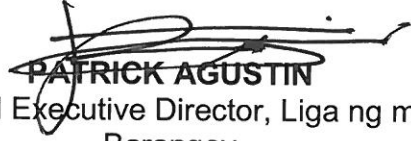


**NARCISO A. VINGSON**   
Administrator, MARINA





**NORMAN VICTOR M. ORDIZ**  
President, PESOMAP Inc.



**PATRICK AGUSTIN**  
National Executive Director, Liga ng mga  
Barangay



(Bgy Letterhead)

**BARANGAY CERTIFICATION**  
**(First Time Jobseekers Assistance Act - RA 11261)**

This is to certify that Mr./Ms. \_\_\_\_\_, a resident of Bgy. \_\_\_\_\_ Zone \_\_\_\_\_ for \_\_\_\_\_ years/months, is a qualified availlee of RA 11261 or the *First Time Jobseekers Act of 2019*.

I further certify that the holder/bearer was informed of his/her rights, including the duties and responsibilities accorded by RA 11261 through the **Oath of Undertaking** he/she has signed and executed in the presence of our Barangay Official.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
in the City/Municipality of \_\_\_\_\_.

This certification is valid only \_\_\_\_ (one (1) year from the issuance).

\_\_\_\_\_  
**Punong Barangay**

\_\_\_\_\_  
Date

**Witnessed by:**

\_\_\_\_\_  
Barangay Official/Designation/Position

\_\_\_\_\_  
Date



**OATH OF UNDERTAKING**

I, \_\_\_\_\_, \_\_\_\_\_ years of age, resident of Bgy \_\_\_\_\_ Zone \_\_\_\_\_, for \_\_\_\_\_ (years/months), availing the benefits of **Republic Act 11261**, otherwise known as the **First Time Jobseekers Act of 2019**, do hereby declare, agree and undertake to abide and be bound by the following:

1. That this is the first time that I will actively look for a job, and therefore requesting that a Barangay Certification be issued in my favor to avail the benefits of the law;
2. That I am aware that the benefit and privilege/s under the said law shall be valid only for one (1) year from the date that the Barangay Certification is issued;
3. That I can avail the benefits of the law only once;
4. That I understand that my personal information shall be included in the Roster/List of First Time Jobseekers and will not be used for any unlawful purpose;
5. That I will inform and/or report to the Barangay personally, through text or other means, or through my family/relatives once I get employed; and
6. That I am not a beneficiary of the JobStart Program under R.A. No. 10869 and other laws that give similar exemptions for the documents or transactions exempted under R.A No. 11261
7. That if issued the requested Certification, I will not use the same in any fraud, neither falsify nor help and/or assist in the fabrication of the said certification.
8. That this undertaking is made solely for the purpose of obtaining a Barangay Certification consistent with the objective of R.A. No. 11261 and not for any other purpose.
9. That I consent to the use of my personal information pursuant to the Data Privacy Act and other applicable laws, rules, and regulations.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, in the City/Municipality of \_\_\_\_\_.

\_\_\_\_\_  
**First Time Jobseeker**

**Witnessed by:**

\_\_\_\_\_  
Barangay Official/Designation/Position

\_\_\_\_\_  
Date





**RA 11261 -FIRST TIME JOBSEEKERS ACT MONITORING FORM**  
**MONTHLY SUMMARY OF AVAILEES/BENEFICIARIES**  
**Barangay 121 Zone 9 - CITY OF MANILA**  
**(01-30 JUNE 2019)**

MONTH	NO. OF BENEFICIARIES/ AVAILEES	SEX/ GENDER		EDUCATIONAL LEVEL		
		M	F	Elementary/ High School	College	OSY
JAN	-	-	-	-	-	-
FEB	-	-	-	-	-	-
MAR	-	-	-	-	-	-
APR	-	-	-	-	-	-
MAY	-	-	-	-	-	-
JUN	-	-	-	-	-	-
JUL	26	11	15	5	9	2
AUG						
SEP						
OCT						
NOV						
DEC						
<b>TOTAL</b>	26	11	15	5	9	2

**Notes:**

1. This form shall be accomplished by the barangay to be submitted to DILG through City/Municipality to DICT

**Prepared by:**

**Reviewed and approved by:**

\_\_\_\_\_  
Name, Designation & Signature

\_\_\_\_\_  
Name, Designation & Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**NATIONAL BUREAU OF INVESTIGATION**  
**RA 11261 - FIRST TIME JOBSEEKERS ACT MONITORING FORM**  
**MONTHLY SUMMARY OF AVAILEES/BENEFICIARIES**  
**(01-30 JUNE 2019)**

MONTH	NO. OF BENEFICIARIES/ AVAILEES	SEX/GENDER		EDUCATIONAL LEVEL		
		M	F	Elementary/ High School	College	OSY
JAN	-	-	-	-	-	-
FEB	-	-	-	-	-	-
MAR	-	-	-	-	-	-
APR	-	-	-	-	-	-
MAY	-	-	-	-	-	-
JUN	-	-	-	-	-	-
JUL	26	11	15	5	9	2
AUG						
SEP						
OCT						
NOV						
DEC						
<b>TOTAL</b>	<b>26</b>	<b>11</b>	<b>15</b>	<b>5</b>	<b>9</b>	<b>2</b>

**Notes:**

1. This form shall be accomplished by the concerned agency to be submitted to DICT
2. This form shall be accomplished by the DICT to be submitted to DOLE as Committee Chair

**Prepared by:**

**Reviewed and approved by:**

\_\_\_\_\_  
 Name, Designation & Signature

\_\_\_\_\_  
 Name, Designation & Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date