

Republic of the Philippines
TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY
East Service Road, South Superhighway, Taguig City

124th TESDA BOARD MEETING
13 October 2020, Tuesday, 2:00 P.M.
Teleconference Via Zoom Platform

Resolution No. 2020-48
(Page 1 of 5 pages)

**APPROVAL OF THE REVISED GUIDELINES IN THE IMPLEMENTATION OF
APPRENTICESHIP AND LEARNERSHIP PROGRAMS AND AMENDING TESDA
BOARD RESOLUTION NO. 2006-08 BY APPROVING OCCUPATIONS/
QUALIFICATIONS WITH PROMULGATED TRAINING REGULATIONS WITH
NOMINAL DURATION OF UP TO SIX (6) MONTHS AS APPRENTICEABLE AND
LEARNABLE OCCUPATIONS**

WHEREAS, Section 3(b) of Republic Act No. 7796 provides that it is the goal and objective of the Act to focus technical education and skills development in meeting the changing demands for quality middle level manpower;

WHEREAS, Section 18 of Republic Act No. 7796 provides the transfer of the Apprenticeship and Learnership Programs of the Bureau of Local Employment of the Department of Labor and Employment (BLE-DOLE) to Technical Education and Skills Development Authority (TESDA) which shall implement and administer said programs in accordance with existing laws, rules and regulations;

WHEREAS, Section 19, Rule VI, Book Two of the Omnibus Implementing the Labor Code of the Philippines, as amended, provides that the period of apprenticeship shall not exceed six (6) months.

WHEREAS, Article 73, Chapter II, Title II, Book II of the Labor Code of the Philippines, as amended, defined Learners as persons hired as trainees in semi-skilled and other industrial occupations which are non-apprenticeable and which may be learned through practical training on the job in a relatively short period of time which shall not exceed three (3) months;

WHEREAS, TESDA Circulars No. 16, s. 2004 and 19, s. of 2005 on the Revised Guidelines in the Implementation of Apprenticeship and Learnership Programs were issued on 31 March 2004, and 18 August 2005, respectively;

WHEREAS, TESDA Board Resolution No. 2006-08 was issued on 31 January 2006 to expand the list of apprenticeable and learnable occupations from BLE-DOLE to respond to the need of providing skills to enhance the employability of the labor force. TESDA Board Resolution 2006-08 covered all Training Regulations including those with more than six (6) months nominal duration;

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LEARNABLE OCCUPATIONS**

WHEREAS, after sixteen years, the existing guidelines on the implementation of apprenticeship and learnership programs were thoroughly reviewed to adjust and adapt to significant changes to the present and future situations which led to the drafting of the proposed Revised Guidelines in the Implementation of the Apprenticeship and Learnership Programs (Revised Guidelines). This proposed Revised Guidelines was presented to the Executive Committee which recommended that it be elevated to the Support to TVET Provision Committee of the TESDA Board for further review.

WHEREAS, the proposed Revised Guidelines was presented to the Support to TVET Provision Committee of the TESDA Board on 30 July 2020 and 17 September 2020;

WHEREAS, during the 18th Meeting of the Support to TVET Provision Committee of the TESDA Board held on 17 September 2020, the Committee agreed to recommend to the TESDA Board the endorsement and approval of the proposed Revised Guidelines as well as the amendment of TESDA Board Resolution No. 2006-08 to consider as Learnable and Apprenticeable Occupations only those Training Regulations with nominal duration of up to six (6) months;

WHEREAS, during the 124th TESDA Board Meeting on 13 October 2020, the TESDA Board deliberated and considered the recommendation;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED to approve the Revised Guidelines in the Implementation of the Apprenticeship and Learnership Programs and amend TESDA Board Resolution No. 2006-08 by Approving All Occupations/Qualifications with Promulgated Training Regulations having Nominal Duration of up to Six (6) Months as Learnable and Apprenticeable Occupations, respectively, subject to the inclusion in the Guidelines of the following provisions:

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1. The Registry of Apprenticeable and Learnable Occupations include the Training Regulations with a nominal duration of up to 6 months;
2. The participation of the Provincial and Regional TESD Committees. The former which recommends and the latter which shall approve new apprenticeable and learnable occupations that will be registered as No Training Regulations (NTR) Apprenticeship or Learnership Program. NTRs shall include Competency Standards developed from new, emerging and advanced technologies;
3. Programs to be registered can cover a qualification, cluster of competencies or unit/s of competency and in no way shall be more than 6 months for apprenticeship and more than 3 months for learnership;
4. Bundling of similar or related qualifications or training regulations shall be allowed in the registration and implementation of Apprenticeship Programs to provide skill progression and multi-skilling among the apprentices;
5. Flexible learning methods shall also be adopted;
6. The registration of Apprenticeship/Learnership programs is as in UTPRAS, with the Process Cycle Time;
7. Night training is allowed only for apprentices/learners who are at least 18 years old;
8. Protection of apprentices and learners against any form of discrimination is emphasized;

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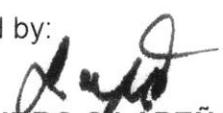
9. The implementation of the Apprenticeship and Learnership programs shall be reviewed and evaluated annually, and guidelines may be amended by the TESDA Secretariat based on the results of evaluation.

BE IT RESOLVED FINALLY, that copies of this resolution be published and disseminated to all concerned.

Approved this 13th day of October, 2020.


Atty. MARICHELE D. DE GUZMAN
TESDA Board Secretary

Attested by:


SEC. ISIDRO S. LAPEÑA, PhD, CSEE
Designated Chairperson, TESDA Board
Director General, TESDA

(Original Signed)
USEC. RENATO L. EBARLE
Department of Labor and Employment

(Original Signed)
USEC. DIOSDADO M. SAN ANTONIO
Department of Education

(Original Signed)
USEC. EPIMACO V. DENSING III
Department of Interior and Local
Government

(Original Signed)
USEC. BRENDA L. NAZARETH-MANZANO
Department of Science and Technology



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LEARNABLE OCCUPATIONS**

(Original Signed)

MR. ISIDRO ANTONIO C. ASPER
Board Member, Labor Sector

(Original Signed)

MR. RENE LUIS M TADLE
Board Member, Labor Sector

(Original Signed)

MR. RAMON R. DE LEON
Board Member, Labor Sector

(Original Signed)

MR. ROGELIO J. CHAVEZ, JR.
Board Member, Labor Sector

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DR. LEONIDA BAYANI-ORTIZ
Board Member, Employer Sector

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PROF. RANDOLPH I. NONATO
Board Member, Employer Sector

(Original Signed)

ARTURO M. MILAN
Board Member, Business & Investment
Sector

(Original Signed)

MS. MARY G. NG
Board Member, Business & Investment
Sector

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| <p>To ensure a more effective and wider implementation of the Apprenticeship and Learnership Programs, expand private-public partnership in technical education and skills development (TESD) by encouraging active participation of enterprises as immediate beneficiaries of trained and skilled workforce and tapping their corporate social responsibility programs, among others, TESDA Circulars No. 16, Series of 2004 and No. 19, Series of 2005 are hereby revised:</p> | | |
| 1. GENERAL GUIDELINES | | |
| 1.1 The Apprenticeship and Learnership Programs shall be implemented based on the following: | | |
| 1.1.1. Republic Act No. 7796 (Technical Education and Skills Development Authority Act of 1994 (and its Implementing Rules and Regulations) | | |
| 1.1.2. Presidential Decree No. 442 (Labor Code of the Philippines, as amended) and its Implementing Rules and Regulations | | |
| 1.1.3. Executive Order No. 111 (amending Certain Provisions of the Labor Code of the Philippines) issued on December 24, 1986 | | |
| 1.1.4. Republic Act No. 11230 (Tulong Trabaho Act) | | |
| 1.1.5. TESDA Circular No. 62, s. 2020 (Guidelines in Implementing Flexible Learning in TVET) | | |
| 1.2. With the transfer of the Apprenticeship and Learnership Programs to TESDA by virtue of Republic Act No. 7796, all applicable systems and procedures in TESD shall be applied to said programs. The transfer of the supervision of TESDA to the Department of Trade and Industry (DTI) through Executive Order No. 67, Series of 2018 necessitates proper coordination with the DTI on the implementation of the Apprenticeship and Learnership Programs. | | |
| 1.3. The Apprenticeship and Learnership Programs shall continue to be viewed as training within employment with greater emphasis and importance to skills acquisition of the apprentices and learners towards employment. | | |
| 1.4. All qualifications with Training Regulations (TRs are automatically classified as apprenticeable or learnable occupations as per TESDA Board Resolution No.2020-48. The Resolution aims to expand the list of apprenticeable occupations in response to addressing the need of providing skills for enhanced employability of the labor force thereby contributing to the government's thrusts of generating jobs and productivity. Provided, that in case the TR has a nominal duration of more than six (6) months, only selected units of competencies relevant to the occupation shall be considered in the implementation of apprenticeship, the duration of which shall not exceed six (6) months. | | |

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| <p>To meet the immediate requirements of enterprises for skilled workers, the Regional Technical Education and Skills Development Committee (RTESDC) shall approve new apprenticeable or learnable occupations.</p> <p>Programs to be registered can cover a qualification, cluster of competencies or unit/s of competency/ies and in no way shall be more than 6 months for apprenticeship and more than 3 months for learnership.</p> <p>In addition to the existing TR, the enterprise may utilize developed competencies on new, emerging and advanced technologies.</p> <p>The Apprenticeship and Learnership Programs shall be registered as No Training Regulations (NTR) in qualifications with no existing Training Regulations. The re-registration of the program from NTR to With Training Regulation (WTR) shall be made within one (1) year after the conduct of training for Regional Lead Assessors on the newly approved TR and shall be issued a new Certificate of Apprenticeship or Learnership Program Registration bearing the title of the appropriate TR.</p> <ol style="list-style-type: none"> 1.5. The programs for Apprenticeship or Learnership covering a cluster of units of competencies or unit of competency shall follow the titling in the Unified TVET Program Registration and Accreditation System (UTPRAS), e.g. Bread Making. <ul style="list-style-type: none"> - Leading to Bread and Pastry Production NC II 1.6. Bundling of qualifications or training regulations shall be allowed in the registration and implementation of Apprenticeship Programs to provide skill progression and multi-skilling among the apprentices. 1.7. Pursuant to Article 69, Book II Title II of the Labor Code of the Philippines, as amended, the related theoretical instructions to apprentices may be undertaken in the enterprise or in partnership with a Technical Vocational Institution (TVI). 1.8. Upon completion of the program and compliance with all the requirements of the enterprise, the apprentice or learner shall be issued a certificate of completion, and shall be considered a graduate of the Apprenticeship or Learnership Program. The certificate of completion shall be equivalent to a training certificate issued by a TVI with a TVET registered program. 1.9. No enterprise shall be allowed to take in an apprentice or learner unless its Apprenticeship or Learnership program is approved by TESDA. 1.10. The provisions applicable to a TVI within the purview of TESDA Circular No. 62, s. 2020 or any amendments therein, shall be made applicable to an enterprise with a registered apprenticeship or learnership program. | | |

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| <p>To ensure the health and safety of all parties involved in Apprenticeship and Learnership programs, compliance with existing laws, rules, regulations and other related issuances relative to Covid-19 and other public emergencies shall be strictly followed.</p> <p>1.11. Persons with Disabilities may be hired as apprentices or learners if their handicap is not such as to effectively impede the performance of job operations in the particular occupations for which they are hired.</p> <p>1.12. The enterprise shall observe and promote gender sensitive and gender responsive implementation of the Apprenticeship and Learnership program.</p> <p>1.13. Any form of discrimination in the acceptance of apprentices or learners shall not be tolerated and shall be dealt with in accordance with the provisions of the anti-discrimination laws of the country.</p> <p>2. OBJECTIVES</p> <p>The objectives of Apprenticeship and Learnership programs are:</p> <p>2.1. To help meet the demand of the economy for a competent workforce;</p> <p>2.2. To establish apprenticeship and learnership standards for the protection of apprentices and learners;</p> <p>2.3. To promote the engagement of young workers through training and development;</p> <p>2.4. To increase productivity and competitiveness of enterprises by ensuring the availability of skilled human resource; and</p> <p>2.5. To harness corporate social responsibility towards the development of skilled manpower to meet the requirements of industries.</p> <p>3. DEFINITION OF TERMS</p> <p>The following terms are defined as used in the context of this Guidelines:</p> <p>3.1. Apprentice – refers to a person undergoing training for an approved apprenticeable occupation during an established period assured by an apprenticeship agreement. (Letter k. Sec. 4 TESDA Act of 1994/R.A. No. 7796)</p> <p>3.2. Apprenticeship – refers to training within employment with compulsory related theoretical instructions involving a contract between an apprentice and an employer on an approved apprenticeable occupation for a duration not exceeding six (6) months. (Letter j. Sec. 4 TESDA Act of 1994/R.A. No. 7796)</p> | | |

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| <ol style="list-style-type: none"> <li style="margin-bottom: 10px;">3. 3. Apprenticeship Agreement – refers to a contract wherein a prospective employer binds oneself to train the apprentice who in turn accepts the terms of training for a recognized apprenticeable occupation emphasizing the rights, duties and responsibilities of each party. (Letter I, Sec. 4 TESDA Act of 1994/R.A. No. 7796) <li style="margin-bottom: 10px;">3. 4. Apprenticeable Occupation – refers to trades, occupations and qualifications approved for apprenticeship by the Technical Education and Skills Development Authority (TESDA) which requires for proficiency more than three months of practical training on the job supplemented by related theoretical instructions. <li style="margin-bottom: 10px;">3. 5. Board – refers to the TESDA Board. <li style="margin-bottom: 10px;">3. 6. Bundling of Qualifications - refers to a multi-qualification program intended to produce multi-skilled graduates; registered on a per qualification basis which is a) composed of same qualifications with different NC levels; or (b) qualifications within the same sector. (2019 TVET Glossary of Terms, page 9.) <li style="margin-bottom: 10px;">3. 7. Certificate of Apprenticeship or Learnership Program Registration (CALPR) – refers to a document issued by TESDA which grants authority to a juridical enterprise to offer a certain program in an apprenticeable or learnable occupation. <li style="margin-bottom: 10px;">3. 8. Certificate of Competency (COC) – refers to a document issued by TESDA to individuals who were assessed as competent in single unit or cluster of related units of competency as defined in Section 4 of the National Assessment and Certification Arrangements of the Training Regulations. (2019 TVET Glossary of Terms, page 10) <li style="margin-bottom: 10px;">3. 9. Cluster or Clustering of Units of Competency – refers to a group of competencies as defined in the Training Regulations that corresponds to a Certificate of Competency. A cluster of units of competency includes the basic, common and core competencies addressing a Certificate of Competency that can be offered as a registered program. (2019 TVET Glossary of Terms, page 12) <li style="margin-bottom: 10px;">3. 10. Competency Assessment – refers to the process of collecting evidence to determine the acquired knowledge, skills and attitude of an individual in accordance with the standard performance expected at the workplace. (2019 TVET Glossary of Terms, page 13) <li style="margin-bottom: 10px;">3. 11. Competency Standards – defines the knowledge, skills and values required for competent performance in the industry. (2019 TVET Glossary of Terms, page 14) <li style="margin-bottom: 10px;">3. 12. Compliance Audit – refers to a process to check compliance of whether a training institution is continuously complying with the UTPRAS requirements and guidelines for its registered TVET Program/s. (2019 TVET Glossary of Terms, page 14) | | |

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| <p>In Apprenticeship and Learnership, the enterprise offering the registered program is treated as a training institution within the purview of compliance audit.</p> <p>3. 13. Duration of Training – refers to the learning period for the Apprenticeship or Learnership Program set forth by law and stipulated under the Apprenticeship or Learnership Agreement.</p> <p>The apprenticeship period shall be for more than three (3) months practical training on the job supplemented by related theoretical instructions but shall not exceed six (6) months. The enterprise has the option to hire the apprentices based on their job performance even prior to the completion of the apprenticeship period.</p> <p>The duration of the Learnership program, on the other hand, shall not be more than three (3) months.</p> <p>3.14. Enterprise – refers to a participating establishment or company that is duly registered and existing under Philippine laws, which directly engages an apprentice or learner based on a registered Apprenticeship and Learnership Program.</p> <p>3.15. Hazardous Workplace – refers to an authorized venue for apprenticeship which relatively exposes the apprentice to dangerous environmental elements, contaminants or in other highly vulnerable working conditions such as construction manufacturing or handling of explosives, or that which requires engagement with too-heavy or power-driven equipment, tools or machineries.</p> <p>A workplace is deemed hazardous if:</p> <ul style="list-style-type: none"> 3.15.1. The nature of the work exposes workers to dangerous environmental elements, contaminants or work conditions, including ionizing radiation, chemicals, fire, flammable substances, noxious components, and the like; 3.15.2. The workers are engaged in construction work, logging, fire-fighting, mining, quarrying, blasting, stevedoring, dock work, deep-sea fishing and mechanized farming; 3.15.3. The workers use or are exposed to heavy or power-driven machinery or explosive powder-actuated equipment; 3.15.4. The workers are engaged in the manufacture or handling of explosives and other pyrotechnic products; 3.15.5. The workers use or are exposed to biological agents such as bacteria, viruses and other parasites. (Source: DOLE Bureau of Working Conditions - Occupational Safety and Health Standards) | | |

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| <p>3.16. Highly Technical Industries – refers to trade, business, enterprise, industry, or other activity, which is engaged in the application of advanced technology. (Sec. 2, letter j, Rule VI, Book II, Omnibus Guidelines Implementing the Labor Code)</p> <p>3.17. Learner – refers to a person hired as trainee in industrial occupations which are non-apprenticeable and which may be learned through practical training on the job not exceeding three (3) months, whether or not such practical training is supplemented by theoretical instructions. (Section 1, Rule VII, Book II, Omnibus Rules Implementing the Labor Code)</p> <p>3.18. Learnership – refers to any practical training on a learnable occupation which may or may not be supplemented by related theoretical instructions for a period not exceeding three (3) months. (2019 Glossary of Terms, page 39)</p> <p>3.19. Learnership Agreement – refers to the employment and training contract entered into between the employer and the learner.</p> <p>3.20. No Training Regulation (NTR) Apprenticeship or Learnership Program – refers to a program registered under the Apprenticeship or Learnership Program Guidelines not yet covered under any appropriate Training Regulations.</p> <p style="padding-left: 40px;">This may include Competency Standards developed from new, emerging and advanced technologies.</p> <p>3.21. Plant Learnership or Apprenticeship Committee (PLAC) – refers to a group established by the enterprise which may be composed of representatives from labor, management and government responsible for monitoring program implementation, and recommending measures for effective program implementation.</p> <p>3.21. Provincial Office (PO) – for purposes of this Circular, Provincial Office shall also refer to the District Office of TESDA National Capital Region.</p> <p>3.22. Qualification – refers to a package of competencies describing a particular function, job or role existing in an economic sector covering the work activities required to undertake a particular job. Depending on the breadth, depth and scope of competency, a qualification may fall under National Certificate level I, II, III, IV or Diploma. A Training Regulations is a full qualification while a Certificate of Competency is leading to a qualification. (2019 TVET Glossary of Terms, page 58)</p> <p>3.23. TESDA – refers to the Technical Education and Skills Development Authority.</p> <p>3.24. Training Plan (TP) – refers to the specification for the apprenticeship or learnership program of an enterprise which describes all the learning experience an apprentice or learner undergoes, which generally includes the competencies</p> | | |

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to be acquired within the program, the underpinning knowledge, theories and principles, and the assessment arrangement.

The TP shall likewise indicate the mode by which the training shall be conducted. The Apprenticeship or Learnership program shall consider flexible learning modes as indicated in the Guidelines in Implementing Flexible Learning in TVET taking into consideration the new normal protocols.

Each learning module shall be allotted a corresponding number of hours where completion of which shall be the basis for the computation of hours worked by the apprentice or learner.

3.25. **Unit of Competency** – refers to a component of the competency standard stating a specific key function or role in a particular job or occupation serving as a basis for training an individual to gain specific knowledge, skills and attitude needed to satisfy the special demands or requirements of a particular situation. (2019 TVET Glossary of Terms, page 79)

3.26. **Wage** – refers to the amount of remuneration that an employer is required to pay the wage earners for the work performed during a given period which cannot be reduced by any agreement or individual contract.

In the case of an apprentice or learner, the amount should not be less than seventy-five percent (75%) of the applicable minimum wage for every eight (8) hours of training in the enterprise.

3.27. **With Training Regulation (WTR) Apprenticeship or Learnership Program** – refers to a program registered under the Apprenticeship or Learnership program guidelines with the appropriate promulgated Training Regulations as basis for registration.

4. QUALIFICATIONS OF ENTERPRISES, APPRENTICES, LEARNERS AND TRAINERS

4.1. Employer/ Enterprise

4.1.1. Any enterprise with ten (10) or more regular workers and is duly registered with the appropriate government authority/ies shall be allowed to apply for Apprenticeship or Learnership Program Registration.

4.1.2. Only employers in the highly technical industries may employ apprentices and only in apprenticeable occupations/qualifications approved by TESDA.

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| <p>4.1.3. Any entity, whether or not organized for profit, may establish or sponsor apprenticeship or learnership programs and employ apprentices/learners.</p> <p>4.1.4. The number of apprentices to be accepted by the participating enterprise shall not be more than twenty percent (20%) of its total regular workforce.</p> <p>4.2. Apprentice</p> <p>To qualify as an apprentice, a person should:</p> <p>4.2.1. Be at least fifteen (15) years of age; provided that those who are at least fifteen but not more than eighteen (18) years of age may be eligible for apprenticeship only in non-hazardous occupations;</p> <p>4.2.2. Be physically fit for the occupation in which the apprentice intends to be trained;</p> <p>4.2.3. Possess good moral character, vocational aptitude and capacity for apprenticeship as determined by the enterprise;</p> <p>4.2.4. Have the ability to comprehend and follow oral and written instructions;</p> <p>4.2.5. Not be a graduate of any apprenticeship program of the registered company provider; and</p> <p>4.2.6. Have met the specific requirements of the Training Regulations.</p> <p>4.3. Learner</p> <p>4.3.1. Any unemployed person who is fifteen (15) years old and above may apply for Learnership with any participating enterprise. Those below eighteen (18) years of age may only be employed in non-hazardous occupations.</p> <p>4.3.2. Learners may be hired in semi-skilled and other industrial occupations which are registered/recognized learnable occupations/ qualifications as approved by TESDA or in non-apprenticeable occupations.</p> <p>4.4. Trainer</p> <p>4.4.1. To ensure competence of trainers in the delivery of Apprenticeship and Learnership programs, a trainer should have at least six months of relevant experience as trainer or an appropriate trainer's certification.</p> | | |

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| 4.5. Plant Learnership or Apprenticeship Committee (PLAC) 4.5.1. The creation of PLAC in participating enterprises shall be necessary. The PLAC shall be tripartite in nature composed of representatives from management, labor and government. However, if a tripartite PLAC is not feasible, a bipartite PLAC composed of a) technical personnel in the plant, trade or industry; and b) labor and management representatives shall be created. | | |
| 5. RESPONSIBILITIES OF PARTIES IN APPRENTICESHIP AND LEARNERSHIP PROGRAMS The responsibilities of the following parties are as follows: 5.1. Enterprise 5.1.1. Apply for registration of its Apprenticeship/ Learnership program with the PO; 5.1.2. Provide appropriate aptitude examinations in the selection of apprentices or learners; 5.1.3. Furnish a copy of the Apprenticeship/Learnership Agreement to the apprentice/learner and the PO within five (5) working days following its execution by the parties; 5.1.4. Undertake the conduct of supplementary theoretical instruction that is required in Apprenticeship. If the employer is not prepared to assume the responsibility, the same may be delegated to a TVI with a TESDA registered program related to the Apprenticeship or Learnership program being offered by the enterprise; 5.1.5. Pay the corresponding wages of the apprentices or learners and other benefits required by law; 5.1.6. Ensure that the TP is being followed and that the competency assessment and certification of the apprentice/learner after the Apprenticeship/ Learnership program is accomplished; 5.1.7. Observe health and safety protocols of the enterprise and precautions issued by appropriate authorities; 5.1.8. Comply with the reporting requirements of TESDA on the Apprenticeship/Learnership program being offered by the Authority including all of its pertinent rules and regulations. 5.1.9. Issue the Certificate of Completion to the apprentice/learner upon completion of the program; 5.1.10. Notify TESDA of any intent to discontinue the Apprenticeship/Learnership program; and 5.1.11. Allow TESDA personnel to conduct on-site validation or compliance audit on the registered enterprise. | | |

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| 5.2. Apprentice and Learner <ul style="list-style-type: none">5.2.1. Observe rules of behavior for the duration of the Apprenticeship/Learnership program;5.2.2. Use the company's tools, instruments, machines and other equipment with due care;5.2.3. Not reveal any business nor trade secrets that have come to his/her knowledge in the course of the Apprenticeship/Learnership;5.2.4. Comply with program requirements including the completion of learning modules under the new normal arrangements;5.2.5. Take National Competency Assessment or appropriate competency assessment tool developed by the enterprise after completion of the training program; and5.2.6. Inform the PLAC of any matter affecting the implementation of the Apprenticeship or Learnership program, whether positive or negative. | | |
| 5.3. Plant Apprenticeship and Learnership Committee (PLAC) <ul style="list-style-type: none">5.3.1. Monitor the Apprenticeship or Learnership program implementation in the enterprise;5.3.2. Recommend measures for the effective implementation of the Apprenticeship or Learnership program in the enterprise; and5.3.3. Mediate and settle in the first instance differences between the enterprise management and the apprentices/learners arising out of an apprenticeship/learnership agreement. | | |
| 6. PROGRAM ADMINISTRATION <p>The responsibilities of the following TESDA Offices shall be as follows:</p> | | |
| 6.1. Partnerships and Linkages Office (PLO) <ul style="list-style-type: none">6.1.1. Formulate policies and guidelines in the implementation of the Apprenticeship and Learnership Programs;6.1.2. Develop information materials and conduct advocacy activities at national and local levels;6.1.3. Monitor and evaluate program implementation; and6.1.4. Build and maintain the registry of apprenticeable and learnable occupations, participating enterprises, apprentices/learners and company trainers. | | |

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| <p>6.2. Regional and Provincial Offices (ROPO)</p> <p>6.2.1. Recommend to the PLO measures to improve, strengthen and sustain the implementation of the programs;</p> <p>6.2.2. Monitor and evaluate program implementation;</p> <p>6.2.3. Coordinate with the DOLE in the implementation of its inspectorate function;</p> <p>6.2.4. Coordinate with their counterparts from the DOLE for any violations on the general labor standards, occupational safety and health standards, among others;</p> <p>6.2.5. Provide assistance to the participating enterprises in the registration of their apprenticeship or learnership program, conduct of competency assessment to their graduates, conduct of capability building of their trainers, and in the availment of incentives;</p> <p>6.2.6. Upon request of an employer who wishes to avail of the tax deduction on account of the Apprenticeship program, ROPO shall facilitate the issuance of a certification that Apprenticeship program was operational during the taxable year concerned;</p> <p>6.2.7. The Regional Office shall facilitate the approval of new apprenticeable and learnable occupations by the RTESDC as mentioned in 7.3.5; and</p> <p>6.2.8. All Regional Offices shall furnish PLO a copy of the RTESDC resolution approving the new apprenticeable or learnable occupation.</p> <p>6.3. Central Office/Regional Office/Provincial Office (COROPO)</p> <p>The COROPO shall include the following strategies in the promotion and advocacy of the Apprenticeship and Learnership Programs:</p> <p>6.3.1. Sectoral and area-based approach giving more focus on critical skills and priority sectors;</p> <p>6.3.2. Establishment of strong linkages with industry associations/chambers of commerce and industry/employers' organization and labor unions/workers' organizations;</p> <p>6.3.3. Documentation and use of good practices and success stories in the implementation of the Apprenticeship and Learnership Programs; and</p> <p>6.3.4. Provision of recognition and awards to enterprises with good practices in the implementation of the Apprenticeship and Learnership Programs.</p> <p>7. PROCEDURES IN THE REGISTRATION OF APPRENTICESHIP AND LEARNERSHIP PROGRAMS</p> <p>7.1. Fundamental Activities and Requirements</p> | | |

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| <p>To ensure compliance with the prescribed Process Cycle Time (PCT) for the registration of Apprenticeship and Learnership programs, the following fundamental activities and requirements must be complied with by all ROPO:</p> <p>7.1.1. Comprehensive Orientation of Applicant Enterprise. The concerned ROPO shall conduct orientation on apprenticeship and learnership programs for the applicant enterprise. The Enterprise should have understood all the requirements for program registration. Part I of the Checklist of Requirements for the Registration of Apprenticeship and Learnership Program (TESDA-OP-PLO-01-F02) on Orientation on Apprenticeship and Learnership Programs shall be signed by the representative of the Enterprise as proof that they have fully understood the requirements for program registration.</p> <p>7.1.2. Availability and Development of Trainer for the Program. The PO shall implement continuing Trainer Development Program and Portfolio Assessment for In-Company Trainers, supported by the Training for Work Scholarship Program, if available.</p> <p>7.1.3. The applicant enterprises should have the complete facilities, tools and equipment as specified in the TRs and TP before the submission of application documents, to avoid delay in the processing of program/s application.</p> <p>7.1.4. Site validation (technical inspection) shall be scheduled and conducted by the PO Inspection Team prior to submission of complete and correct application documents. Result of the site validation shall be reflected in the Site Validation Report Form (TESDA-OP-PLO-01-F06). Stringent social distancing measures shall be observed in the conduct of site validation following the pronouncements of government relative to Covid-19 or other public emergencies.</p> <p>7.1.5. The RO Apprenticeship and Learnership Focal shall regularly conduct calibration among PO Apprenticeship and Learnership Focals to ensure all documents are in order prior to submission to RO. The PO shall perform the complete and correct staff work to reduce the time spent for review of documents at the RO.</p> <p>7.1.6. Applications for the registration of apprenticeship and learnership programs shall be filed electronically unless it is not practicable. Electronic application shall observe the following rules:</p> <p>7.1.6.1. Documents required to be submitted as well as forms that require signatures can bear e-signatures and saved in Portable Data Format (PDF).</p> | | |

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| <p style="margin-left: 40px;">7.1.6.2. Online submission and transmittal of documents shall be filed using email or any other applicable online applications for the purpose.</p> <p style="margin-left: 40px;">7.1.6.3. Conduct of orientation and on-site inspection/validation shall be done using video conferencing applications or face-to-face as may be applicable.</p> <p style="margin-left: 40px;">7.1.6.4. Payment of registration fee shall be made through online transaction directly to the account of the PO. Payment shall be made through the PO's official account with other payment application systems. Proof of payment shall be forwarded to the PO.</p> <p>7.2. Registration of With Training Regulation (WTR) Apprenticeship or Learnership Programs</p> <p style="margin-left: 20px;">7.2.1. The enterprise shall submit its Application Letter (TESDA-OP-PLO-01-F01) and the following application requirements to the nearest PO.</p> <p style="margin-left: 40px;">7.2.1.1. Checklist of Requirements (TESDA-OP-PLO-01-F02);</p> <p style="margin-left: 40px;">7.2.1.2. Training Plan (TESDA-OP-PLO-01-F03);</p> <p style="margin-left: 40px;">7.2.1.3. Certification of an authorized representative of the enterprise that the number of apprentices to be accepted is not more than twenty percent (20%) of the total regular and locally hired workforce (TESDA-OP-PLO-01-F04) for Apprenticeship;</p> <p style="margin-left: 40px;">7.2.1.4. List of Trainers with Profile (TESDA-OP-PLO-01-F05);</p> <p style="margin-left: 40px;">7.2.1.5. Certificate of SEC Registration, or DTI Certificate or Barangay Registration for Sole Proprietorship/ Articles of Incorporation/Partnership, or Approved By-laws for Joint Venture/ Latest General Information Sheet for Corporations;</p> <p style="margin-left: 40px;">7.2.1.6. Assessment Tool developed by the Enterprise for NTR Programs; and</p> <p style="margin-left: 40px;">7.2.1.7. Validation Report (TESDA-OP-PLO-01-F06)</p> <p style="margin-left: 20px;">7.2.2. The PO shall review and evaluate the application documents. Evaluation shall include checking the completeness and correctness of documents. If found complete, the PO Apprenticeship and Learnership Focal shall stamp "Received Complete/Correct Documents" on the Checklist of Requirements (TESDA-OP-PLO-01-F02) with appropriate remarks and/or comments, if any, return the original checklist to the applicant and retain a copy of it. The applicant enterprise shall pay the registration fee of P2,000.00 on the day the PO receives the application documents.</p> <p style="margin-left: 20px;">7.2.3. The PD shall submit to the RD the results of review and recommendations using the Recommendation Form (TESDA-OP-PLO-01-F07) not later the following day.</p> | | |

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| <p>7.2.4. The RD shall review the recommendations, the documentary requirements for program registration, and shall issue a Certificate of Apprenticeship/Learnership Program Registration (CALPR)/ or a Letter of Denial.</p> <p>7.2.5. The RO shall immediately transmit back to the PO the application documents with the CALPR and Recommendation Form not later than the following day.</p> <p>7.2.6. The PO shall transmit to the enterprise the CALPR/Letter of Denial as soon as receipt from the RO. A post registration orientation shall be conducted for enterprises with issued CALPR.</p> <p>7.2.7. Should an enterprise with an existing Apprenticeship/Learnership program wish to implement its program to any of its branches/plants after it has already been issued a CALPR, a separate CALPR shall be obtained. In this case, the enterprise shall submit only a copy of the previously issued CALPR together with the TP specifying the branch or plant where the program will be implemented as requirements and shall pay the corresponding registration fee of P2,000.00.</p> <p>7.3. Registration of No Training Regulation (NTR) Apprenticeship or Learnership Programs</p> <p>7.3.1. Programs for qualifications/occupations with No Training Regulations or are covered by Competency Standards shall be registered as NTR Apprenticeship Program or NTR Learnership Program.</p> <p>The List of DOLE Apprenticeable and Learnable Occupations or Work Processes (Annex B) uploaded in the website with no equivalent or existing TRs shall be registered as NTR until such time a TR is developed and delisted from the registry of apprenticeable and learnable occupations.</p> <p>7.3.2. The procedure in the registration of WTR Apprenticeship/Learnership programs shall be adopted for NTR Apprenticeship/Learnership programs. In addition to the requirements in 7.2.1, the applicant enterprise shall submit a justification for the request for approval of the qualification/occupation as apprenticeable/learnable. The justification shall indicate the prospective employment opportunities for the apprentices or learners once they have completed the apprenticeship/learnership period.</p> <p>7.3.3. The PO shall include in the agenda of the Provincial TESD Committee (PTESDC) the request for the approval of the qualification/occupation as apprenticeable or learnable prior to the issuance of the Certificate of Apprenticeship or Learnership Program Registration.</p> | | |

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| <p>7.3.4 The PTESDC shall deliberate on the request of the PO and shall issue a resolution either disapproving the request or endorsing the same to the RTESDC.</p> <p>7.3.5 The RTESDC shall deliberate on the PTESDC Resolution and shall issue a resolution either approving or disapproving the qualification/occupation in the list of apprenticeable or learnable occupations. The resolution approving an Apprenticeable or Learnable Occupation shall be furnished to the PLO.</p> <p>7.4. Re-registration of Programs</p> <p>7.4.1. The re-registration of an NTR Apprenticeship/Learnership program as WTR Apprenticeship/Learnership program shall be in accordance with the requirements and procedures in the registration of WTR programs.</p> <p>7.4.2. The migration period or the re-registration of a WTR Program covered by a newly promulgated TR shall be made within one year after the effectivity of the new TR.</p> <p>7.5. Process Cycle Time for Program Registration</p> <p>7.5.1. In compliance with Republic Act No. 11032, or The Ease of Doing Business and Efficient Delivery of Government Services Act of 2018, the standard PCT for the processing and approval of applications for Apprenticeship and Learnership Program Registration shall be three (3) days.</p> | | |

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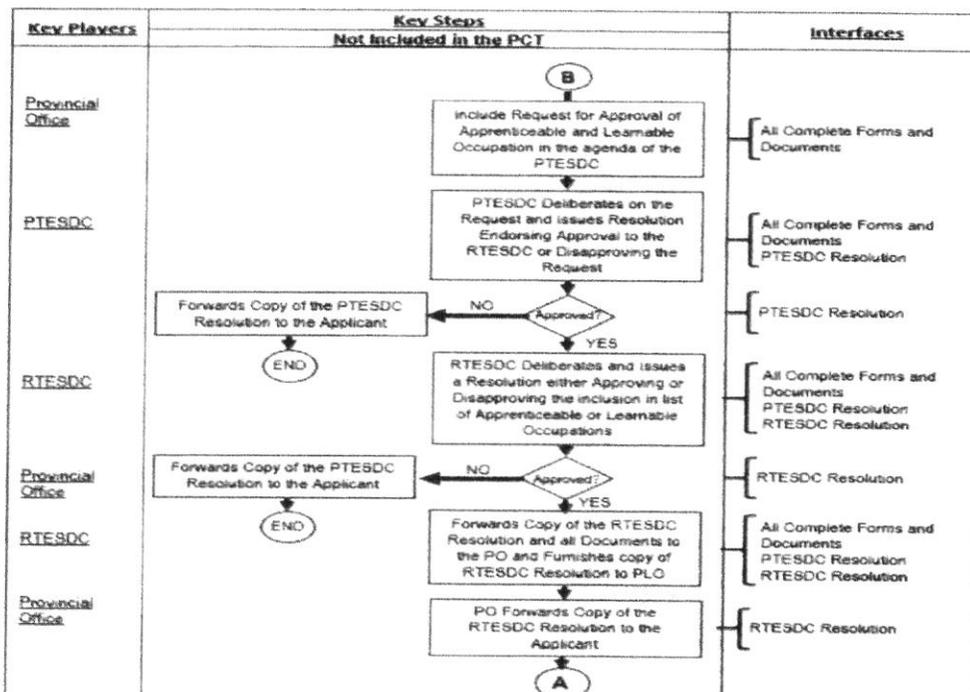
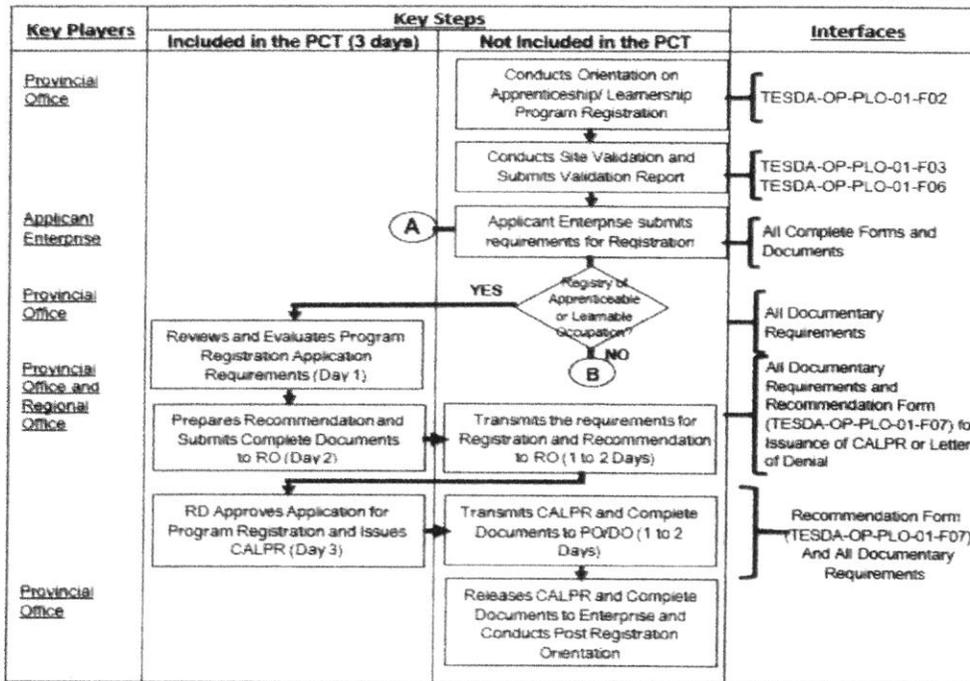
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8. ISSUANCE OF CERTIFICATE OF APPRENTICESHIP/ LEARNERSHIP PROGRAM REGISTRATION (CALPR)

8.1. The numbering system for the CALPR shall follow the 14-digit data configuration:

| | | | | | | | | |
|---------|-----------|------|--------|----------|-------|----------|---|--------|
| WTR/NTR | AP/LP No. | Year | Region | Province | Level | Sequence | - | Branch |
| WTR | AP No. | 00 | 00 | 00 | 00 | 0000 | - | 00 |
| NTR | LP No. | 00 | 00 | 00 | 00 | 0000 | - | 00 |

The Regional and Provincial code shall be based on the Unified Account Code Structure Manual-DBM and DOF Joint Circular No. 2013-1 except for NCR District Offices attached as ANNEX A of this guidelines.

Example: Region VI (06)

| | |
|-------------------|------|
| PROVINCE | CODE |
| Aklan | 04 |
| Antique | 06 |
| Capiz | 19 |
| Negros Occidental | 45 |

8.2. The Level Code shall follow the coding as listed below:

| | |
|---------------------------|-------------|
| Qualification Level | Number Code |
| National Certificate I | 01 |
| National Certificate II | 02 |
| National Certificate III | 03 |
| National Certificate IV | 04 |
| Certificate of Competency | 00 |

8.3. The Sequence number is the registered Apprenticeship or Learnership program's number as listed in the roster of registered programs in the given year. Thus, 001 refers to the first program registered. On the onset of new year, the series number will be reset to 001.

8.4. The Branch number shall indicate the number of branches or plants to be utilized as additional venues for practical training.

Example No. 1

Certificate of Apprenticeship Program Registration
WTR AP No. 150604020001-01
Program Title: Bread and Pastry Production NC II
This is a Certificate of Apprenticeship Program Registration, With Training Regulation Bread and Pastry Production NC II issued in 2015 at Region 6, Aklan

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| <p>Province listed as No. 001 in the PO's list of registered apprenticeship programs with one (1) additional venue for practical training. Example No. 2</p> <p>Certificate of Learnership Program Registration WTR LP No. 150604000002-00 Program Title: Bread Making Leading to Bread and Pastry Production NC II</p> <p>This is a Certificate of Learnership Program Registration, With Training Regulation Bread Making Leading to Bread and Pastry Production NC II issued in 2015 at Region 6, Aklan Province for a unit of competency listed as No. 002 in the PO's list of registered Learnership programs with no additional venue for practical training.</p> | | |
| 9. POST-REGISTRATION CONCERNS | | |
| <p>9.1. The PLO shall facilitate the uploading and updating of the list of Apprenticeable and Learnable Qualifications/Occupations and the Registry of Enterprises with Apprenticeship and Learnership Programs in the TESDA website.</p> <p>9.2. PO shall closely monitor the implementation of the Apprenticeship and Learnership Programs to ensure that the TP is being implemented so that possible areas for assistance or intervention may be provided.</p> <p>9.3. PO shall submit reports on Registered Apprenticeship and Learnership Programs including enrollment, graduation and employment data via T2MIS every 5th day of the succeeding month.</p> | | |
| 10. APPRENTICESHIP AGREEMENT | | |
| <p>10.1. No apprenticeship program will commence until an Apprenticeship Agreement has been forged between an enterprise and an apprentice. Every Apprenticeship Agreement shall be signed by the employer or by his/her duly authorized agent and by the apprentice. In case of a minor, the Apprenticeship Agreement shall be signed by the apprentice with the conformity of his/her parent or guardian. Every Apprenticeship Agreement shall be ratified by the PLAC and a copy thereof shall be furnished to both the employer and the apprentice.</p> <p>10.2. The apprenticeship agreement must conform with the rules issued by TESDA and shall include the following:</p> <p>10.2.1. Full names and addresses of the contracting parties;</p> <p>10.2.2. Date of birth of the apprentice;</p> | | |

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| <p>10.2.3. Name of the trade, occupation, job or qualification in which the apprentice will be trained and the dates on which such training will begin and will approximately end;</p> <p>10.2.4. Wage which in no case shall start below seventy-five percent (75%) of the applicable minimum wage, benefits entitled to an apprentice under existing laws and other benefits depending on the enterprise's capability, be it in cash or in kind that an apprentice may enjoy;</p> <p>10.2.5. Provision of accident or disability insurance policy for the apprentice;</p> <p>10.2.6. Schedule of payment for the wage;</p> <p>10.2.7. Working condition of the apprentice;</p> <p>10.2.8. Issuance of a Training Certificate by the enterprise;</p> <p>10.2.9. Statement that the apprentice shall undergo Assessment and Certification for WTR programs or Institutional/In-Company Assessment in case of NTR programs;</p> <p>10.2.10. Valid causes to terminate the agreement;</p> <p>10.2.11. Process for the termination of apprenticeship agreement;</p> <p>10.2.12. Duties and obligations of both parties; and</p> <p>10.2.13. Apprenticeship Scheme</p> <p>Enterprises with registered apprenticeship programs may choose from any of the following apprenticeship schemes:</p> <p>10.2.13.1. Involving a company or group of companies and an identified training institution;</p> <p>10.2.13.2. Conducted entirely by a company with demonstrated capacity to conduct theoretical instruction; and</p> <p>10.2.13.3. Involving an industry training center and a company or group of companies.</p> <p>10.3. The TP to be attached as ANNEX A of the Apprenticeship Agreement shall include, among others, the nature of training, the competencies/learning outcomes, time/duration of training, the methodology to be employed during the conduct of training in reference to the training regulations, and other details deemed necessary.</p> <p>10.4. The normal ratio of theoretical instruction and on-the-job training is one (1) hour of theoretical instructions for every twenty (20) hours of practical or on-the-job training. (Sec. 28, Rule VI, Book II, Omnibus Implementing Rules of the Labor Code)</p> <p>11. LEARNERSHIP AGREEMENT</p> <p>11.1. Any employer who wants to employ learners shall enter into a Learnership Agreement with the latter. The Agreement shall include:</p> | | |

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| <p>11.1.1. Names and addresses of the employer and learner;</p> <p>11.1.2. Occupation to be learned and the duration of the Learnership which shall not exceed three (3) months;</p> <p>11.1.3. Wage or salary rate of the learner which shall not be less than seventy-five percent (75%) of the applicable minimum wage, benefits entitled a learner under existing laws including accident or disability insurance policy and other benefits depending on the enterprise's capability, be it in cash or in kind that a learner may enjoy;</p> <p>11.1.4. Working condition of the learner;</p> <p>11.1.5. A commitment to employ the learner as a regular employee upon completion of the Learnership program. However, the learner has the option to decide otherwise. A learner who has been allowed or suffered to work during the first two (2) months shall be deemed a regular employee if training is terminated by the employer before the end of the stipulated period through no fault of the learner. If such is the case, the learner is considered a graduate of the Learnership program;</p> <p>11.1.6. Duties and obligations of both parties;</p> <p>11.1.7. Valid causes to terminate the Learnership Agreement; and</p> <p>11.1.8. Process for the termination of Learnership Agreement.</p> <p>11.2. The TP shall be attached as ANNEX A of the Learnership Agreement.</p> <p>11.3. No Learnership program will commence until the Learnership Agreement has been forged between an enterprise and a learner. Every Learnership Agreement shall be signed by the employer or by his/her duly authorized agent and by the learner. In case of a minor, the Learnership Agreement shall be signed by the learner with the conformity of his/her parent or guardian. Every Learnership Agreement shall be ratified by the PLAC and a copy thereof shall be furnished to both the employer and the learner.</p> <p>12. WORKING CONDITIONS OF APPRENTICES AND LEARNERS</p> <p>12.1 Apprentices and learners who are below 18 years of age shall not be allowed to work for more than eight (8) hours a day, and in no case beyond forty (40) hours a week. They shall not be allowed to work between ten o'clock in the evening and six o'clock in the morning of the following day. They shall not also be engaged in hazardous workplaces and occupations.</p> <p>12.2 Apprentices and learners who are eighteen (18) years of age and above can work overtime provided there is no available regular worker to do the job. The time spent on overtime work shall be duly credited to their training hours based on the approved TP.</p> | | |

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| <p>An apprentice or learner may render training beyond the normal daily training hours provided the following minimum requirements are present:</p> <ul style="list-style-type: none">12.2.1. The Night training is rendered within the required period consistent with existing laws, rules and regulations and shall not constitute the whole in-plant training;12.2.2. The apprentice/learner shall be paid a night shift differential of not less than ten percent (10%) of the minimum wage in the region for each hour of work performed between ten o'clock in the evening and six o'clock in the morning;12.2.3. The apprentice/learner shall be entitled to an Overtime Pay, if applicable;12.2.4. The apprentice/learner should not be below eighteen (18) years old; and12.2.5. The minimum requirements above are agreed or may be improved by the company, the training provider and the labor union. In the absence of a union the appropriate labor representative in the Labor Management Council of the enterprise. | | |
| 13. ASSESSMENT AND CERTIFICATION OF APPRENTICES AND LEARNERS | | |
| <p>13.1. Apprentices or learners in occupations covered by TRs shall be required to take the competency assessment upon completion of their Apprenticeship or Learnership except those who have already acquired a National Certificate (NC) or COC for the same qualification.</p> <p>13.2. The enterprise shall notify the concerned PO on the assessment of its apprentices or learners at least one (1) month before the completion of the Apprenticeship or Learnership period. The PO shall arrange the schedule of the competency assessment of the apprentices or learners upon receipt of the notification. The NC or COC shall be issued by TESDA to apprentices or learners who pass the competency assessment.</p> <p>13.3. For programs not covered by any TR, the appropriate competency assessment tools developed by the enterprise shall be used to assess the apprentices and learners.</p> | | |
| 14. INCENTIVES TO PARTICIPATING ENTERPRISES | | |
| <p>14.1. Participating enterprises shall be entitled to an additional deduction from taxable income of one-half (½) of the value of labor training expenses incurred for developing the productivity and efficiency of apprentices. Said incentives shall be given provided that such deduction shall not exceed ten percent (10%) of direct</p> | | |

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| <p>labor wage and that the enterprise which wishes to avail of these incentives should pay the apprentices the minimum wage. (Article 71, PD No. 442, May 1, 1974)</p> <p>14.2. TESDA shall provide incentives to participating enterprises in the form of capability building programs and other technical assistance to its personnel to enhance their knowledge and skills in the implementation of the Apprenticeship and Learnership programs.</p> <p>14.3. Any participating enterprise/company may also avail of the funds provided under the Tulong Trabaho Act, as specified in its Implementing Rules and Regulations, for re-tooling and/or upskilling of its existing workforce and to subsidize other labor training expenses.</p> <p>15. INVESTIGATION OF VIOLATION OF APPRENTICESHIP OR LEARNERSHIP AGREEMENT AND SETTLEMENT OF DISPUTE</p> <p>15.1. The PLAC shall, motu proprio or upon complaint of any interested party, have initial responsibility for settling differences arising out of Apprenticeship or Learnership Agreements.</p> <p>15.2. In case it is not able to settle such differences, the PTESDC shall investigate and submit a recommendation to the RTESDC which shall render a decision pursuant to pertinent rules and regulations as may be prescribed by TESDA.</p> <p>15.3. The decision of the RTESDC may be appealed by any aggrieved person to the TESDA Director General through the Regional Director within five (5) days from receipt of the decision.</p> <p>15.4. Any appeal by the aggrieved party/ies shall be elevated to the Director General, who in turn shall forward the appeal to the Interim Internal Affairs Services (IIAS) for proper review and recommendation to the Director General. The decision of the Director General shall be final and executory.</p> <p>16. TERMINATION OF APPRENTICESHIP OR LEARNERSHIP AGREEMENT</p> <p>The following are the valid causes to terminate the Apprenticeship or Learnership Agreement:</p> <p>16.1. By the Enterprise:</p> <p>16.1.1. When the apprentice or learner is hired by the enterprise as regular employee prior to the completion of the Apprenticeship or Learnership program;</p> | | |

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| <p>16.1.2. Habitual absenteeism of the apprentice or learner during the on-the-job training and related theoretical instructions activities;</p> <p>16.1.3. Failure of the apprentice or learner to comply or submit requirements as part of modules specified in the TP;</p> <p>16.1.4. Willful disobedience of the apprentice or learner of company rules or insubordination of lawful order of a superior;</p> <p>16.1.5. Poor physical condition, prolonged illness, and permanent disability which incapacitates the apprentice or learner to continue the program;</p> <p>16.1.6. Theft or malicious destruction of company property or equipment;</p> <p>16.1.7. Inefficiency, or poor performance while on the job or in the classroom for a prolonged period despite warnings duly given; and</p> <p>16.1.8. Engaging in violence or other forms of misconduct inside the enterprise's premises.</p> <p>16.2. By the Apprentice or Learner:</p> <p>16.2.1. Substandard or harmful working condition within the enterprise's premises;</p> <p>16.2.2. Repeated violations by the enterprise of the terms of the Apprenticeship or Learnership Agreement;</p> <p>16.2.3. Cruel or inhumane treatment;</p> <p>16.2.4. Problems that are personal in nature, which in the opinion of the apprentice or learner, shall prevent the satisfactory performance of the job; and</p> <p>16.2.5. Poor health and continuing illness of the apprentice or learner.</p> <p>17. GROUNDS FOR REVOCATION OF CERTIFICATE OF APPRENTICESHIP OR LEARNERSHIP PROGRAM REGISTRATION</p> <p>The Certificate of Apprenticeship or Learnership Program Registration shall be revoked on the following grounds.</p> <p>17.1. Offering of an unregistered training course, qualification or program.</p> <p>17.2. Any false declaration, fraud or deceit in connection with the company's submission of documentary requirements on its application for program registration.</p> <p>17.3. Failure of the enterprise to migrate its program from NTR to WTR or from old WTR to updated WTR within the prescribed period indicated in the implementing guidelines of the relevant Training Regulations.</p> <p>17.4. Failure of the company to submit the required reports within the prescribed period for three consecutive offerings.</p> <p>17.5. Fraud, falsification, misrepresentation, or any other similar acts by the company which tend to undermine, destroy and cast doubt on the credibility of conduct of TESDA scholarship programs.</p> <p>17.6. Ghost Trainees/ Apprentices/ Learners</p> <p>17.7. Exaction of any unauthorized fees from the apprentices/learners.</p> | | |

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| <p>17.8. The Certificate of Apprenticeship Program Registration shall be revoked when the company fails to enroll apprentices for three (3) consecutive years.</p> | | |
| <p>18. COMPLIANCE AUDIT</p> <p>All registered Apprenticeship and Learnership Programs whether WTR or NTR shall be subjected to compliance audit a year after the issuance of the CALPR and every two (2) years thereafter. This is in addition to the regular inspection visits that the DOLE may conduct.</p> | | |
| <p>19. TRANSITORY PROVISION</p> <p>Enterprises with existing Apprenticeship and/or Learnership program/s shall apply for apprenticeship and/or learnership program registration under these guidelines within one (1) year after its effectivity. All existing/on-going Apprenticeship and Learnership programs shall remain valid until their completion.</p> | | |
| <p>20. REVIEW AND AMENDMENT</p> <p>The implementation of the Apprenticeship and Learnership programs shall be reviewed and evaluated annually and guidelines may be amended by the TESDA Secretariat based on the results of evaluation.</p> | | |
| <p>21. REPEALING CLAUSE</p> <p>All prior issuances which are inconsistent with the provisions of this Guidelines are hereby amended, repealed or modified accordingly.</p> | | |
| <p>22. EFFECTIVITY CLAUSE</p> <p>This Circular shall take effect fifteen (15) days upon completion of its publication.</p> | | |
| <p>23. SEPARABILITY CLAUSE</p> <p>If any provision of this Circular shall be declared unconstitutional and invalid, the other sections or provisions not affected shall remain in full force and effect.</p> <p>These guidelines shall take effect immediately.</p> | | |
| | |   SEC. ISIDRO S. LAPEÑA, PhD, CSEE Director General |

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| Attachments: <ol style="list-style-type: none">1. Application for Program Registration (TESDA-OP-PLO-01-F01)2. Checklist of Requirements (TESDA-OP-PLO-01-F02)3. Training Plan (TESDA-OP-PLO-01-F03)4. Certification on the No. of Apprentices (TESDA-OP-PLO-01-F04)5. List of Trainers (TESDA-OP-PLO-01-F05)6. Site Validation Report Form (TESDA-OP-PLO-01-F06)7. Recommendation form (TESDA-OP-PLO-01-F07)8. Template of Certificate of Registration9. Sample Apprenticeship Agreement10. Sample Learnership Agreement11. Regional and Provincial Codes (Annex A)12. List of Apprenticeable and Learnable Occupations or Work Processes (Annex B) | | |