

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

House Bill No. 1281

Introduced by Hon. Roilo Golez

EXPLANATORY NOTE

"The money that entertainers and other working migrants send home is extraordinary. Young teachers in the Philippines make an average of US\$150 a month compared with entertainers' US\$500. The transfer of funds from migrants to their home countries, if lumped together, is one of the largest single movements of money in the world.

In the Philippines it is estimated eight billion dollars a year, almost three times the amount the Philippines receives in foreign aid. None of the workers had signed papers saying they were going to return a single penny. Yet they did send home a vast amount of money, whole national defense budgets' worth of money, because of LOVE."

- *Michael Parfit*, "Human Migration," National Geographic, October 1998.

The Migrant Workers Act of 1995 (R.A. No. 8042) was passed during the Ramos Administration in the midst of public outrage over rampant stories of cruelty and degradation inflicted upon our Overseas Filipino Workers (OFW), most significantly, Flor Contemplacion and Delia Maga. The law thus redefined the government's policy as regards overseas employment, stating that "while recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances, the State *does not promote overseas employment* as a means to sustain economic growth and achieve national development." This change in policy was accompanied by strong, responsive measures to protect the welfare of OFWs.

Today, the role of OFWs in promoting the national economy and keeping the national income afloat is indubitable. Because of the reality that our local economy cannot adequately sustain our population growth, we have found ourselves in the position of having a comparative advantage in the export of labor. It is a comparative advantage that must be harnessed fully to expand our national wealth. The term "export labor" should not be considered as dehumanizing – what we are in fact exporting is the skill and ingenuity of the Filipino worker in support of the national economy.

We are also exporting Philippine culture, thus, contributing to the enhancement and strengthening of the culture of the host country, in addition to enhancing their economic strength.

This Act amends the Migrant Workers Act by clarifying the State's policy as regards overseas employment. By virtue of this Act, the State shall actively promote overseas employment to achieve national development. The Department of Labor and Employment will likewise be directed to pursue programs and policies that simplify the requirements for overseas employment.

Passage of this Bill is earnestly requested.


ROILO GOLEZ *f. Golez*

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AN ACT
LIBERALIZING AND ACCELERATING THE PROCESSING AND DEPLOYMENT OF
OVERSEAS FILIPINO CONTRACT WORKERS, AND APPROPRIATING THE
NECESSARY FUNDS THEREFOR

Section 1. *Title.* This Act shall be known and cited as the "OFW Liberalization Act of 2004."

Sec. 2. *Declaration of Policy.* In recognition of the significant contribution of Overseas Filipino Workers (OFWs) to the national economy, it is hereby declared the policy of the State to encourage and actively promote the export of labor as a means of employment generation and increasing the national income.

Sec. 3. Section 2, Paragraph (c) of Republic Act No. 8042, otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995" is hereby amended to read as follows:

"Section 2. *Declaration of Policies* --

x x x x x x x x x

- (c) The State recognizes the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances. Hence, the State shall promote overseas employment as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizens shall not, at any time, be compromised or violated. The State therefore, shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development.

Sec. 4. The Department of Labor and Employment shall promulgate implementing rules and regulations consistent with the objectives of liberalizing access to employment opportunities abroad. Said Department shall minimize the inconvenience borne by prospective OFWs transacting with their offices or agencies in securing overseas employment.

Sec. 5. Nothing in this Act shall detract from the responsibility of the State and its enforcement agencies to protect the rights and welfare of Overseas Filipino Workers.

Sec. 6. *Separability Clause.* – If any portion of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Sec. 7. *Repealing Clause.*– All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

Sec. 9. *Effectivity.*– This Act shall take effect fifteen (15) days following its publication two national newspapers of general circulation.

Approved,