

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2422

Introduced by Honorable Rex Gatchalian

Explanatory Note

Our Constitution provides that *"The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."* Whereas, the Migrant Workers and Welfare Act of 1995, as amended, declares in its policies that *"The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. Towards this end, the State shall provide adequate and timely social, economic and legal services to Filipino Migrant Workers, in particular."* In recognition of this mandate, it is intended that the services will be more responsive, interests amply protected and the welfare best promoted if a comprehensive organizational structure is accorded the Overseas Workers Welfare Administration, hence this legislative proposal.

Since its inception, through **Letter of Instruction No. 537**, issued in May 1, 1997 creating the Welfare and Training Fund for Overseas Workers, an attached agency of the Department of Labor and Employment, to **Presidential Decree No. 1694** issued in May 1, 1980 formalizing LOI 537 establishing the organization and administration of the Welfare Fund for Overseas Workers (Welfund), and then **Presidential Decree No. 1809** which was issued in January 16, 1981 amending PD 1694, to expand the Welfund Board of Trustees and establishing a Secretariat to administer the Welfund until Executive Order No. 126 was issued in January 30, 1987 which reorganized the Ministry of Labor and Employment, renaming Welfund into the Overseas Workers Welfare Administration – a clear, unequivocal concept of its obligations, duties and the scope of its administrative functions have not so far been established. Its collection and receipt of membership fees in recent years have drawn serious concerns on fund management and lenient disbursements without clear-cut guidelines. Thus, congressional inquiries on how the agency

judiciously keep and manage these hard-earned contributions have cropped up time and again.

One clear realization that has emerged which is of paramount importance from these legislative investigations is the creation of a charter that shall govern the operation and administration of OWWA - clarify the mission of its creation, define the membership base and coverage of benefits, identify the programs for availment of its members, fund management and public accountability of its administrators and officials.

This legislative initiative seeks to fulfill this crucial policy demand and imperative. The passage of an OWWA Charter will certainly contribute to a more effective and efficient delivery of services to accord a greater mantle of protection for our OFW's as well as the advancement of their rights and welfare.

The support for the passage and approval of this landmark legislation is earnestly prayed.



REX GATCHALIAN

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

**AN ACT TO CREATE THE OVERSEAS WORKERS WELFARE
ADMINISTRATION CHARTER**

CHAPTER I. GENERAL PROVISIONS

Section 1. Short Title. - This Act shall be known as the 'Overseas Workers Welfare Administration Charter of 2010'.

Section 2. Declaration of Policy. - It is the policy of the State to afford full protection to labor, local and overseas, organized and unorganized, and promote full employment opportunities for all. Towards this end, it shall be the State's responsibility to protect the Overseas Filipino Workers. The Overseas Workers Welfare Administration will be the primary instrumentality of the State to serve and promote the interest and welfare of OFWs and their beneficiaries.

Section 3. Nature. - The OWWA is a government instrumentality. It is an agency of the Government vested with the special function of developing and implementing welfare programs and services that are responsive to the OFWs needs, protect their interests and promote their welfare. It is endowed with corporate powers and administers a special fund.

Section 4. Purposes and Objectives. In order to reaffirm the mandate espoused in Article II Section 18 and Article XIII Section 3, of the 1987 Constitution, OWWA shall:

- a.) To facilitate the implementation of the provisions of the Labor Code concerning the responsibility of the government to promote the well-being of OFWs;
- b.) To provide social and welfare services to OFWs, including, but not limited to, insurance, social work assistance, and cultural services;
- c.) To ensure the efficiency of collections and the viability and sustainability of the Fund through sound, judicious, and transparent investment and management policies;
- d.) To undertake studies and research for the enhancement of OFW social, economic and cultural well-being; and
- e.) To develop, support and finance specific projects for the welfare of OFWs.

CHAPTER II. THE ORGANIZATION

Section 5. The Organization. - To carry out the purposes of this Act, OWWA shall be directed and controlled by a Board of Trustees as the policy making body, and the Secretariat as its implementing arm.

Section 6. Board of Trustees. - The Board of Trustees of OWWA is a tripartite body with fifteen (15) members representing government, management, labor-OFW, and the women's sector, to wit;

- (a) Secretary of Labor and Employment - Chairperson
- (b) OWWA Administrator - Vice-Chairperson
- (c) Secretary of Foreign Affairs – Member
- (d) Secretary of Finance – Member
- (e) Secretary of Budget and Management – Member
- (f) Undersecretary of Labor and Employment – Member
- (g) POEA Administrator – Member
- (h) Representative, Recruitment Sector – Member
- (i) Representative, Labor Sector – Member
- (j) Representatives, Sea-based OFWs – Two (2) Members
- (k) Representative, Land-based OFWs – Two (2) Members
- (l) Representative, Migrant Women Sector – Member
- (m) Representative, Commission on Human Rights - Member

Section 7. Procedure of Appointments to the Board of Trustees. -

The Representatives from the Sea-based, Land-based, Migrant Women Sectors shall be appointed after an information campaign and a system of consultative sessions shall have been launched for the selection of nominees. Only non-governmental organizations that protect and promote the rights and welfare of OFWs, duly registered with the appropriate Philippine government agency and in good standing, shall be qualified to nominate a representative for each sector to the Board.

A final list of the nominees shall be submitted to the President consisting of three (3) names for each sector to be represented. The names shall be published in a newspaper of general circulation and posted in all government agencies and offices concerned.

Within thirty (30) days from the submission of the list, the President shall appoint the representatives to the OWWA Board.

The members shall have a term of three (3) years and shall be eligible for reappointment for another term. In case of vacancy, the President shall in accordance with this provision, appoint a replacement who shall serve only the unexpired term of his/her predecessor.

Section 8. Powers and Duties of the Board of Trustees. - For the attainment of its main objectives, the Board is vested with the following responsibilities and powers:

- a.) To promulgate rules and regulations to implement the objectives and purposes of OWWA as enumerated under Section 4 of this Charter;
- b.) To approve programs, projects, and the organizational structure of the OWWA Secretariat;
- c.) To formulate rules and regulations governing financial transactions and fix the yearly appropriations of the Secretariat; and
- d.) To ensure the efficiency of collection and the viability and sustainability of the fund through sound and judicious investment and fiscal management policies.

Section 9. Schedule of Board Meetings. - The regular meetings of the OWWA Board of Trustees shall be held every last Friday of the month. If a change of date becomes necessary, the same shall be held at the most

convenient time set by the Board of Trustees, provided that the Board meets at least 12 times a year. Special Board meetings may be called upon by the Chairperson or by any five (5) members of the Board.

Section 10. Board Proceedings. - The Board proceedings shall be guided by the following rules:

- a.) *Notice of Meetings* - The Board Secretary shall distribute to all Members of the Board, the Notice of Meeting together with the discussion materials at least three (3) working days prior to the scheduled meeting.
- b.) *Quorum* - In determining the existence of a quorum, the Board shall adopt the simple majority rule of one half plus one of the total filled Board seats.
- c.) *Attendance in Board Meetings* - Board members are responsible for attending all board meetings. The Ex-Officio members of the Board of Trustees may designate in writing their permanent alternate who shall have voting power. The Board shall install teleconferencing facilities in order to muster quorum during Board Meetings.
- d.) *Presiding Officer* - The Chairperson shall preside over meetings of the Board. In the absence of the Chair, a duly designated representative, with a rank of an Undersecretary, shall preside. The Administrator acts as the Vice Chairperson.
- e.) *Board Resolution*- All decisions of the Board shall be expressed in the form of Resolutions signed by all the members present.

Resolutions may be modified or superseded by another resolution.

Resolutions shall take effect upon adoption and signing by the Members present, subject to requisite publication.

- f.) *Executive Sessions* - The Board may decide to declare a meeting as an Executive Session.
- g.) *Records Management and Archiving of Board Documents* - The Board Secretary shall ensure a complete and thorough recording of all proceedings during a Board meeting. The minutes of the previous meeting shall be made available for approval during the succeeding scheduled Board Meeting.

The Minutes of the meeting shall contain the attendance, business arising from the minutes, major agreements reached, corresponding resolutions, and other items noted or discussed, and instructions issued by the Board.

All minutes of meetings and Board Resolutions, tape recordings, and other documents pertaining to the business of the Board shall be kept and archived pursuant to standard records management systems and procedures.

The OWWA Board will operate with full transparency and public disclosure, in accordance to the constitutionally protected right of the people to information of matters of public concern.

Section 11. Board Entitlements. - Board Members shall be provided with honoraria, per diem, and other emoluments as may be allowed by accounting and auditing rules and procedures.

The sum total of the salary honoraria, per diem, and other emoluments received by any Board Member is subject to the salary standardization law. Records of any or all Board compensation shall be subject to full public disclosure.

Section 12. The OWWA Secretariat. - The Secretariat is the implementing arm of the OWWA.

Section 13. Functions and Responsibilities of the Secretariat. - The Secretariat shall perform and assume the following functions and responsibilities:

- a.) To manage programs and the delivery of welfare services locally and overseas to its members, supported by advocacy and information programs;
- b.) To implement Board policies on investment and fund management;
- c.) To formulate medium term development plans responsive to the welfare, needs and demands of OFWs;
- d.) To submit work and financial plans for Board consideration;
- e.) To provide policy analysis and recommendations for Board consideration;

- f.) To conduct continuing researches and studies, including impact evaluation, in aid of policy and program development;
- g.) To monitor regularly and conduct assessment and evaluation of organizational performance;
- h.) To establish and maintain an on-line management information system;
- i.) To establish and maintain linkages and networks with local and international social and institutional partners;
- j.) To render annual reports to the Board and the President; and
- k.) To perform other functions as may be instructed by the Board.

Section 14. The Administrator. - The Administrator is the Chief Executive Officer of the Secretariat. He administers the overall operations of the Secretariat and exercises general supervision and control of all its personnel and resources. He assumes full responsibility and accountability thereof.

Section 15. The Deputy Administrator. - The Deputy Administrator shall assist the Administrator in the supervision of the OWWA operations. The Board may assign specific functional responsibilities to the Deputy Administrator.

Section 16. Regional and On-Site Officers. - OWWA shall maintain regional offices and on-site Welfare Officers under the Philippine Overseas Labor Office of the Department of Labor. The salaries of Welfare Officers are subject to the Salary Standardization Law.

Section 17. Corporate Planning. - OWWA shall conduct planning, budgeting, actuarial studies and calculation concerning its financial condition, and an organizational performance assessment annually. A comprehensive report on these corporate assessments shall be submitted to the Board within thirty (30) days upon conclusion of these planning sessions.

Section 18. Reportorial Requirements. - The Secretariat shall submit written quarterly reports on the assessment, and evaluation of programs, projects and services and such other reports as may be required by the Board.

CHAPTER III. COVERAGE OF BENEFITS/SERVICES

Section 19. Coverage. - Coverage of the OWWA benefits and services shall be effective upon enrollment for membership by the OFW. Membership in OWWA may be obtained in two (2) ways:

- a) Compulsory/Mandatory – by enrollment upon processing of contract at the POEA; and
- b) Voluntary – by voluntary registration on-site.

Enrollment for membership shall be the responsibility of the employers or recruitment agencies and made an integral part of the employment contract. An OFW will not be denied the benefits and services due him/her by the inability of the employer or recruitment agency to make the contribution.

Section 20. Effectivity of Membership. - OWWA membership shall be effective upon payment of the contribution until the expiration of the employment contract.

In case of voluntary members who register on-site, membership coverage shall not exceed two (2) years.

There shall be a grace period of two (2) months in both instances.

Section 21. Guiding Principles. - Pursuant to its mandate, OWWA shall deliver to all documented OFW's, loan assistance, education and skills training, social services, family welfare assistance, and other appropriate programs that provide timely social, and economic services.

Nothing in this Act shall be construed as a limitation or denial of the right of the OFW to avail of any benefit plan which maybe adopted in the employment contract, or offered voluntarily by employers, or by the laws of the receiving country which are over and above those provided under this Act.

Section 22. In addition to the benefits provided in Section 21, documented workers shall be entitled to social insurance and repatriation benefits.

Section 23. Commitment to Remain Responsive to OFW requirements. - Pursuant to its mandate, OWWA shall deliver to all OFW's, documented or undocumented, loan assistance, education and skills training,

social services, family welfare assistance, and other appropriate programs to the changing nature of OFW needs and requirements. OWWA shall continue to seek new ways to serve OFW welfare, to meet new OFW needs and requirements as they arise, and to assess the effectiveness of existing services and benefits in serving OFW welfare.

OWWA will maintain an interactive website to collect OFW feedback on existing services, comments, suggestions, and complaints. The comment box will be prominently displayed on the main page of the official OWWA website and the comments will be collected and recorded on a bi-monthly basis. Comments relayed through phone calls to the OWWA OP Center shall be recorded with the internet feedback in a consolidated "OFW Suggestions" archive. New comments will be distributed at the beginning of every Board meeting, and the Board will make use the comments in assessing existing benefits and services and in designing new benefits and services.

Section 24. Benefits and Services to OFWs.

- a.) All OFWs in distress shall be ensured of repatriation assistance from OWWA where needed, subject to reimbursement by the foreign employer/principal/agency concerned, or borne by the OWWA if the persons mentioned herein are not identified, as the case may be.
- b.) In case of emergency mass repatriations, the OWWA and the DFA, with full support from the national government, shall undertake mass repatriations/evacuations as may be necessary. The cost shall be shouldered in accordance with the foregoing classification.
- c.) The repatriation of remains of deceased Filipinos abroad shall apply the same attendant circumstances.
- d.) OWWA shall concentrate the use of its funds on its core services.

Section 25. Loan Assistance. - In compliance with Article III, Section 21 of RA 8042, OWWA shall coordinate with government financing institutions (GFIs) to provide low-collateral loans to OFWs. The loans shall be granted through designated national banks adopting a special low-collateral rate. The OFW shall provide 2/3 of the collateral requirement while OWWA shall borne the remaining 1/3 of the collateral.

- a.) *Pre-Departure Loans (PDL)* shall service ready-to-leave, newly hired OFWs whose employers or agents have already paid the compulsory

OWWA fee. The loan is designed to assist OFWs in their pre-departure needs, such as payment of placement fees, clothing requirements, pocket money, and other pre-departure expenses.

- b.) *Family Assistance Loans (FAL)* is available for emergency and other family needs as endorsed by the OFW.
- c.) *Returnee Loans (RL)* shall be available for returning OFWs to assist in reintegration, settlement, and other needs.
- d.) *Entrepreneurial Loans (EL)* shall be available to OFWs on-site or to returned to assist in establishing new businesses and other entrepreneurial ventures.

Section 26. Workers Assistance and On-Site Services.

- a.) Continuing Education and Counseling about OFW Services and Resources. OWWA shall continue to disseminate information to on-site and returned OFWs regarding all available OWWA services and resources, including but not limited to those enumerated in Article III, Section 4 of this Act.
- b.) Continued Assistance Obtaining OFW Services and Accessing OFW Resources. OWWA will assist any interested OFW to avail of the benefits and services enumerated in Article III, Section 4 of this Act.
- c.) On-site Services. OWWA shall sustain and maintain assistance to OFWs in all its regional and overseas offices. Services shall include information regarding the names, occupation/job category and addresses of OFW, providing guidance, developing materials for the Pre-Departure Orientation Seminars, conducting psycho-social counseling, conciliation services, and outreach missions, among others. On behalf of the OFW, OWWA may provide appropriate representation with employers, agents and host government authorities, including, but not limited to assisting OFWs to regain unpaid wages.

CHAPTER IV. COLLECTION OF MEMBERSHIP FEES

Section 27. Basis for Collection of an OWWA Fee. - OWWA may collect donations and contributions from the employers, not from the OFWs directly.

Contributions to the OWWA Fund must be paid by the employers/principal, or in their default, the recruitment agency under a joint and solidarity liability. A provision to this effect shall be made an integral part of the contract for overseas employment. Violation of this provision shall constitute an offense and punishable by revocation of the license of the recruitment/placement agency and all its officers and directors shall be perpetually disqualified from engaging in the business of recruitment/placement of overseas workers. Such penalty is without prejudice to any other liability which such officers and directors may have incurred under existing laws, rules and regulation.

Section 28. Authorized Collecting Officers. - The contribution shall be collected by duly authorized OWWA Collecting Officers, deputized collecting officers, or accredited agents.

Section 29. Collection Centers. - The OWWA fee shall be collected at the Philippines Overseas Employment Administration (POEA) contract processing hub, OWWA regional and overseas offices, and other accredited collection centers.

Section 30. Issuance of Official Receipt. - Upon payment of the OWWA fee, the designated Collecting Officers shall issue an Official Receipt.

Section 31. - Deposit and Remittance of Collection

- a.) *OWWA Central Office and Regional Offices* - The Collecting Officer shall, on a daily basis, deposit all OWWA fee contributions to the OWWA Capital Fund Account with the Land Bank of the Philippines. For reconciliation and record purposes bank validated deposit slips shall be prepared in triplicate forms to be distributed to the 1.)servicing bank, 2.)OWWA together with the Report of Collections, and to the, 3.)Collecting Officer.
- b.) *OWWA Overseas Officers* - The Collecting Officer shall, on a daily basis, deposit all OWWA fee contributions in the same currency received, to a separate bank account for collections in the name of the "Office of the Labor Attache - OWWA Collections," in the depository bank of the Department of Foreign Affairs (DFA), or in the accredited correspondent bank of the Land Bank of the Philippines. Accumulated monthly collections shall be remitted to the OWWA Capital Fund

Account with the Land Bank of the Philippines not later than the 5th day of the following month.

No withdrawals, except remittances of collections, can be made from the bank accounts for collections without prior written approval of the Administrator or his duly authorized representative, subject to the policies approved by the Board.

Overseas Offices shall be authorized to retain the required amount for the beginning and maintaining balance of the above-mentioned bank accounts for collections.

Section 32. Reportorial Requirements. - The Collecting Officer, deputized collecting officer, or the accredited collecting agent shall prepare and submit reports in accordance with the generally accepted accounting principles, in time for the monthly meetings.

Section 33. Sanctions. - Handling of collections and deposits by Collection Officers shall be governed by the usual accounting and auditing rules. Corresponding administrative sanctions and other disciplinary measures shall be imposed, including recall from post, suspension, or separation from service upon officers in-charge of these collections who may be remiss in their duties.

CHAPTER V. ESTABLISHMENT OF THE OWWA FUND

Section 34. OWWA Fund. - The OWWA Fund is an Irrevocable and Perpetual Public Trust Fund

The OWWA Fund, being a trust fund, is not government money. No portion thereof or any of its income, dividends or earnings shall accrue to the general fund of the National Government. Neither shall any amount or portion thereof be conjoined with the government money, nor revert to the national government. In the same manner, it is exempted from the "one fund doctrine" of the government.

The OWWA Fund does not remit dividends and earnings to the national government

Section 35. Purpose of the OWWA Trust. - The OWWA Fund can only be used for the purposes for which it was created, that is, to exclusively serve the welfare of OFWs and their beneficiaries.

The fund is to be used exclusively to finance the core programs and services of the OWWA.

Section 36. Source of the OWWA Trust. - The OWWA Trust Fund is the sum total of the amounts currently under the management and fiscal administration of the Board of OWWA and the Secretariat, including the US\$25 contributions that shall accrue to the fund as fees, investment and interest income, and income from other sources.

Section 37. Trustees of the Fund. - The OWWA Board of Directors is designated as the Trustee of the OWWA Trust Fund. It is bound by a fiduciary duty to manage the fund with the skill, care and diligence of a prudent person necessary under the circumstances.

Section 38. Transparency. - The OWWA Trust must be managed with full transparency and it shall make available all records of how the funds are invested and distributed.

CHAPTER VI. FUND MANAGEMENT AND INVESTMENT POLICY

Section 39. Safeguarding the Trust Fund. - The OWWA Fund shall be managed and expended in accordance with the purposes stated in this Act. The trust fund shall be safeguarded against any possible misuse.

Section 40. General Investment Policy. - All OWWA investments shall be placed only in government securities and bonds which provide optimum earnings, liquidity and protection of the Fund. No loans or investments shall be made upon private corporate or personal enterprise. The Board of Trustees shall provide the policies and approve all investment decisions.

Portfolio management of investible funds shall be outsourced to government financial institutions (GFIs).

Section 41. Determination of Investment of Fund. - The net amount after deducting the projected monthly operating expenses for programs to carry out this Act, and for contingency fund allocations, shall be made available for investment.

Section 42. Investment Plan and Strategy. - OWWA shall formulate a medium-term investment and asset management plan that shall include projected yields sufficient to sustain program and service delivery, and programmed growth for capital formation. An annual plan shall be developed to support the investment plan and strategy. Any change in the approved annual plan shall require a Board resolution.

Section 43. Inventory and Safekeeping of Investment Instruments. - OWWA shall ensure that all investment instruments are periodically inventoried and properly kept at a government bank under a custodian agreement.

Section 44. Regular Report. - Monthly reports on all investment schedules showing the interest rates, yields, discount rates, and other relevant data, shall be submitted to the Board.

Section 45. Acquired Assets. - OWWA shall administer all properties, acquired or foreclosed. To ensure that the properties are safeguarded and preserved, the same must be properly accounted for and documented, reinspected, reappraised and insured with taxes paid.

An asset development and disposal plan shall be submitted by the Administrator for the consideration of the Board.

Foreclosed properties shall be registered as OWWA assets within one (1) month after foreclosure.

Section 46. Unredeemed Investments and Other Receivables. - Unredeemed investments and other receivables shall be inventoried semi-annually and a corresponding redemption plan shall be submitted to the Board. All receivable shall be supported by documents appropriately acknowledged by the accountable party.

CHAPTER VII. FISCAL AND BUDGET POLICY

Section 47. Fiscal and Budget Policy. - The Board shall set the annual budget at a level sufficient to meet the needs of OFW obligations while supporting the targeted growth rate of the capital fund.

Section 48. Operative Budget. - The operative budget must be sufficient to support full protection of the OFW welfare. The budget shall be

reviewed annually with emphasis on adequate funding for services and agency efficiency.

The members of the Board shall approve by a unanimous vote the operating budget which shall support the planned work programs and administrative costs to include but shall not be limited to salaries, emoluments and transportation expenses for OWWA personnel, office rentals, office supplies, equipment, technological support, communications and utilities, requirements for personal services, and maintenance.

The approved operating budget shall be drawn from the OWWA Trust Fund.

Section 49. Benefits and Services Budget. - The annual budget shall include all benefits and services to OFWs. The budget shall prioritize protecting OFW welfare.

The amount necessary to defray the cost of these benefits and services shall be drawn from the OWWA Trust Fund.

Section 50. Budget Preparation and Approval. - In preparing both annual budgets, OWWA shall follow the national government budget system, format and cycle.

Section 51. Automatic Appropriation. - In case the proposed annual budget has not been approved by the Board at the start of the year, OWWA shall operate within the budget level of the previous year allocated on a month to month basis. All savings realized within a previous year shall be deducted from a current year's budget.

Section 52. Work and Financial Plans. - All cost centers, offices, and units of OWWA shall submit their annual work and financial plans (WFP). The WFP must be compatible with the approved annual budget. The Directors shall endorse the WFP of their respective units for approval of the Administrator. The consolidated OWWA-WFP shall be reported to the Board.

Section 53. Budget Realignment. - Realignment of funds including adjustments in targets shall be submitted to the Board for approval. Similarly, in the event that extraordinary circumstances may occur which require additional funds beyond the coverage of the approved budget, the same shall be submitted to the Board.

Section 54. Delegation of Authority. - The Administrator may delegate some of his authority to subordinate officers as may be deemed necessary.

Section 55. Chart of Accounts. - The OWWA shall adopt the appropriate and standard chart of accounts as prescribed by the Commission on Audit (COA).

Section 56. Branch Accounting System for Regional Operations. - OWWA Regional Units shall maintain their respective books of accounts which shall be consolidated by the central office.

Section 57. Financial Reports. - OWWA shall submit quarterly prescribed Financial Statements to COA, including income statements, balance sheets, and cash flow. A monthly fund utilization report shall be submitted to the Board.

Section 58. Internal Audit. - Sound internal control systems shall be installed, implemented, and monitored. An internal audit shall be conducted every year before the annual budget is finalized.

Section 59. External Audit. - All OWWA transactions shall be subject to post audit of the Commission On Audit.

Section 60. Annual Reports. - The OWWA shall render an Annual Report on its overall performance for the previous year within the first sixty (60) days of the following year. Copies of the Annual Report shall be submitted to the Board by the President.

CHAPTER VIII.

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT

Section 61. Value for Workforce. - OWWA values its workforce as the most vital resource. It thus compels itself to provide a dynamic and challenging organizational environment conducive to the continuing growth and productivity of its human capital towards the attainment of its vision, mission, and core values.

It shall therefore sustain a continuous service improvement program for its human resource management and development system consistent with sound practices and the Civil Service Rules.

Section 62. Code of Conduct and Ethical Standards. - All officials and employees shall discharge their duties and responsibilities in adherence with RA 6713, the Code of Conduct and Ethical Standards for Public Officials and Employees.

Section 63. Personnel Actions. - All personnel actions shall be governed by the pertinent provisions of the Revised Administrative Code of 1997, Administrative Rules and Regulation of DOLE, and such other rules and issuance of the Civil Service Commission.

Section 64. Capacity Building. - To sustain organizational ability to respond to the continuing and changing demands of its clients, adequate investment shall be allocated annually for information management, technology, resource build-up, and staff development.

Section 65. Job Enrichment Program. - OWWA shall adopt a system for rotation, reassignment, cross-posting, and overseas and regional deployment of key officers and staff of the Secretariat to ensure growth and development of a highly specialized and multi-skilled manpower complement.

Section 66. Performance Appraisal System. - A performance appraisal system shall be adopted to measure individual employee performance benchmarked on organizational goals, objectives, and standards.

Section 67. Incentives and Rewards System. - OWWA shall develop and implement an incentive and reward system to recognize exemplary and meritorious performance subject to Board and CSC approval.

Section 68. Employee Relations Program. - Employee associations duly organized pursuant to laws shall be recognized as partners in organizational development. Grievances and conflicts shall be resolved at the lowest levels of the organization through consultative and conciliatory mechanisms.

CHAPTER IX. GENERAL ADMINISTRATIVE POLICIES

Section 69. Data-sharing and Information Management. - Real time information shall be regarded as a critical resource. OWWA, being part of DOLE, shall hyperlink and share data-base with the various systems of the Department.

OWWA shall appropriate funds for the development and training of competent information technology (IT) staff.

Section 70. Advocacy and Social Marketing. - OWWA shall pursue an aggressive advocacy and social marketing program to draw in socio-political support and influence for the welfare of OFWs.

Section 71. Procurement System. - The OWWA Procurement System shall be governed by Republic Act No. 9184, the Government Procurement Reform Act, which provides for an e-procurement system.

CHAPTER X. MISCELLANEOUS PROVISIONS

Section 72. Repealing Clause. - All laws, decrees, administrative orders, board resolutions, memoranda of instructions, special orders, and other issuance, or parts thereof, which are inconsistent with this Charter are hereby repealed or modified accordingly. Resolution No. 038 and the 2003 Omnibus Policies are hereby repealed.

Section 73. Separability Clause. - If for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

Section 74. Effectivity. - This charter shall become effective upon approval from Congress.

Approved,