

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **2981**



Introduced by REP. EMMANUEL D. PACQUIAO

AN ACT
MANDATING THE PHILIPPINE OVERSEAS EMPLOYMENT
ADMINISTRATION (POEA) TO PUBLISH, DISSEMINATE AND
UPDATE A HANDBOOK ON THE RIGHTS AND RESPONSIBILITIES OF
MIGRANT WORKERS, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS
AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED

EXPLANATORY NOTE

The Commission on Filipinos Overseas reports that more than 10 million Filipinos work or reside abroad. The data represents those who decided to work in a foreign land to earn more money in order to provide a better future for their families. Consequently, it accounts for the segment of the population considered to be the "anchor of the Philippine economy," as these migrant workers send about \$20 million in remittances every year.

With all these invaluable sacrifices and contributions, they deserve nothing but the most comprehensive programs and policies that can protect their rights and welfare. The government's work, however, does not stop in merely crafting and implementing laws for the migrant workers' advantage. It must also ensure that such laws are functional and accessible to them.

Hence, this bill seeks to mandate the Philippine Overseas Employment Administration (POEA) to publish, disseminate and update a handbook on the rights and responsibilities of migrant workers. The Handbook aims to provide them with pertinent information, which can help them address their problems and concerns. It also seeks to serve as their reference when they need to assert their rights as overseas employees.

Approval of this bill is earnestly sought.

HON. EMMANUEL D. PACQUIAO

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

SECTION 1. *Title* – This Act shall be known as the "Handbook for OFWs Act of 2013."

SECTION 2. *Creating a Handbook for Overseas Filipino Workers* – The handbook for overseas Filipino workers, known in this Act as "Handbook," shall be created and issued to every migrant worker. It shall serve as a ready reference for migrant workers when they need to assert their rights and responsibilities. It shall also deal with key issues that they need to know in order to maintain decent employment conditions overseas.

The contents of the Handbook shall be written in English with Filipino, Bisaya and Ilocano translations.

SECTION 3. *Objectives of the Handbook* – The objectives of creating a Handbook are as follows:

- a. To empower every overseas Filipino worker (OFW) by making them fully aware of their rights and responsibilities;
- b. To complement pre-employment briefings and seminars administered by concerned agencies for migrant workers;
- c. To provide a comprehensive information on the labor and living conditions in the country of their destination;
- d. To make the workers well aware of the benefits and drawbacks of working overseas.

SECTION 4. *Amendment* – Subparagraph (b.1) of paragraph (b) of Section 23 of Republic Act No. 8042, as amended is hereby further amended to read as follows:

"SEC. 23. *Role of Government Agencies.* – The following government agencies shall perform the following to promote the welfare and protect the rights of migrant workers and, as far as practicable, all overseas Filipinos:

(a) Department of Foreign Affairs - xxx
(b) Department of Labor and Employment - The Department of Labor and Employment shall see to it that labor and social welfare laws in the foreign countries are fairly applied to migrant workers and whenever applicable, to other overseas Filipinos including the grant of legal assistance and the referral to proper medical centers or hospitals;

(b.1) Philippine Overseas Employment Administration -

In addition to its powers and functions, the Administration shall inform migrant workers not only of their rights as workers but also of their rights as human beings, instruct and guide the workers how to assert their rights and provide the available mechanism to redress violation of their rights.

THE ADMINISTRATION IS HEREBY MANDATED TO PUBLISH, DISSEMINATE AND UPDATE PERIODICALLY A HANDBOOK ON THE RIGHTS AND RESPONSIBILITIES OF MIGRANT WORKERS AS PROVIDED BY PHILIPPINE LAWS AND THE EXISTING LABOR AND SOCIAL LAWS OF THE RECEIVING COUNTRY THAT WILL PROTECT AND GUARANTEE THE RIGHTS OF MIGRANT WORKERS. THE HANDBOOK SHALL BE WRITTEN IN SIMPLE WORDS THAT CAN BE EASILY UNDERSTOOD WITH TRANSLATION TO AT LEAST THREE FILIPINO MAJOR LANGUAGES.

It shall also be responsible for the implementation, in partnership with other law-enforcement agencies, of an intensified program against illegal recruitment activities. For this purpose, the POEA shall provide comprehensive Pre-employment Orientation Seminars (PEOS) that will discuss topics [such as] NOT ONLY ON THE prevention of illegal recruitment and gender-sensitivity BUT ALSO ON THE CONTENT OF THE HANDBOOK ON THE RIGHTS AND RESPONSIBILITIES OF MIGRANT WORKERS.

SECTION 5. *Implementing Agencies* - The Philippine Overseas Employment Administration (POEA), in coordination with the Department of Labor and Employment (DOLE) and the Overseas Workers Welfare Administration (OWWA), is mandated to implement this Act.

SECTION 6. *Appropriations* - The amount necessary for the continuous publication, distribution and update of the handbook shall be taken from the appropriations of the Philippine Overseas Employment Administration. Thereafter, the amount necessary to carry out the provisions of this Act shall be provided for in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 7. *Repealing Clause* - All laws, rules or regulations that are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 8. *Separability Clause* - If any provision of this Act is held unconstitutional or invalid, such holding shall not affect other provisions not affected thereby.

SECTION 9. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and in at least two (2) newspapers of general circulation.

Approved,