

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Manila

Sixteenth Congress
Second Regular Session

HOUSE BILL NO. **4805**



Introduced by Honorable Gabriel Luis R. Quisumbing

EXPLANATORY NOTE

On July 20, 2014, The Philippine Daily Inquirer reported that the Department of Foreign Affairs (DFA) ordered the mandatory evacuation of Filipinos in Libya as conflict in the country escalated. In a statement, the Department of Foreign Affairs (DFA) said, "Under Alert Level 4, the Philippine Government undertakes evacuation of about 13,000 Filipino nationals there as soon as possible while no Filipino national will be allowed to travel to Libya." The DFA further stated that the raising of the alert level was in response to the extremely unstable political and security situation in Libya.

Our Overseas Filipino Workers (OFWs) are recognized and honored by the Philippine government as the "*bagong bayani*" (new heroes). Thus, it is imperative that the government ensures the safety and well-being of our migrant workers, and further provide a program for reintegration of OFWs.

This bill seeks to institute a mechanism to provide safety nets for displaced Overseas Filipino Workers (OFWs) who have been forced to evacuate from countries ridden with conflict and torn by war. Emergency employment addresses the very basic need of Filipino families when their primary income-earner loses his job overseas due to strife and evacuation in war-torn countries.

Article II, Section 9 of the 1987 Constitution provides that: "The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide the adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all." Thus, it behooves the State to provide its people with the means to achieve a dignified standard of living.

The author proposes to institutionalize an emergency employment system to bring the poorest sectors of our nation a measure of relief against poverty and hunger brought about by the displacement from overseas employment. Such dire situation besetting our fellow Filipinos is further aggravated by the lack of alternative means of livelihood in the country. Accordingly, included herein is a proposal to afford displaced OFWs emergency employment for a limited period of time in order to assist them in re-establishing a viable means of livelihood.

Hence, approval of this bill is earnestly sought.


GABRIEL LUIS R. QUISUMBING

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**AN ACT INSTITUTIONALIZING A SYSTEM FOR EMERGENCY EMPLOYMENT,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.**

*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 Emergency Employment Act.

SECTION 2. Policy – It is hereby declared a state policy to provide safety nets for Overseas Filipino Workers (OFWs) and institute a mechanism to provide emergency employment which shall afford some measure of relief for the loss of income due to forced evacuation from conflict-ridden or war-torn countries.

SECTION 3. Definition of terms:

- a.) Conflict areas- countries experiencing war or civil strife which endangers the Filipino worker overseas, as declare by the Department of Foreign Affairs (DFA).
- b.) Forced Evacuation – mandatory repatriation due to war, employed by the authorities as a protective action to help save lives in emergencies. Further, mandatory evacuation is essential in situations where conflict or civil strife has the potential to cause severe loss of life and damage.
- c.) Emergency Employment – refers to work done as livelihood, contracted by the government or the private sector for OFWs repatriated from conflict areas to afford them a means of income in return for services rendered.
- d.) Beneficiary - OFW identified by the Philippine Overseas Employment Administration (POEA) as having been forcibly evacuated from conflict areas upon orders of the Department of Foreign Affairs (DFA), and certified by the Department of Social Welfare and Development (DSWD) for indigency, in order to avail of the emergency employment herein provided.

SECTION 4. Entitlement to Emergency Employment - Any beneficiary OFW identified by the POEA as having been forcibly evacuated from war-torn or conflict-ridden areas, and who has been duly certified for indigency by the DSWD shall be entitled to avail of Emergency Employment as defined in this Act.

SECTION 5. Duration of Emergency Employment- the beneficiary qualifying for emergency employment may avail of such benefit for the duration of the travel ban to the conflict areas of origin; or until such OFW sooner finds gainful employment. Provided, in no case shall such emergency employment exceed six (6) months from the time of forced evacuation.

SECTION 6. Implementing Agency - The Department of Social Welfare and Development (DSWD) and the Department of Labor and Employment (DOLE), in coordination with Department of Foreign Affairs (DFA) shall promulgate the rules and regulations for the effective implementation of this Act within sixty (60) days from approval hereof.

SECTION 6. Special Appropriations - Five (5) percent of the yearly budget under the annual General Appropriation Act of the Department of Social Welfare and Development (DSWD) and the Department of Labor and Employment (DOLE) shall be used to fund the provisions of this Act. Any savings realized by these Departments shall also be used to augment the percentage herein provided.

SECTION 7. Repealing Clause - All laws, decrees, orders, rules and regulations or other issuances inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. Effectivity - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,