

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City



**16<sup>th</sup> Congress**  
**Second Regular Session**

HOUSE BILL NO. **5662**

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*Introduced by Representative WESLIE T. GATCHALIAN*

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## EXPLANATORY NOTE

An estimated number of 10.5 million Filipinos work abroad and earn the compliment of being the “bagong bayani” for their great sacrifices of being away and supporting their families back home and keeping the Philippine economy soaring. Yearly, the number is still growing with a pace of almost one million OFWs per year.

Even as we hear success stories, there are also disturbing stories and even complaints that pose dangers and threat to our OFWs.

It is for this reason that this bill is being proposed to reduce, if not eradicate, the vulnerability of our OFWs to abuses and for them to be fairly competitive by institutionalizing and strengthening Pre-Departure programs for OFWs as proactive tools of protection and empowerment to our migrant workers.

It may be recalled that our existing Pre-Departure Orientation Seminar is dated way back in 1983, through POEA Memorandum Circular No. 3, with a PDOS curriculum almost unchanged except for health, safety and financial literacy.

It is now time for us to revisit the curriculum of the Pre-Departure Orientation Seminar and to institutionalize this policy by enacting the same into law.

This bill also provides OFWs with reliable and dependable pieces of information of their destination countries on arrival and on site assistance, cultural, religious and economic situations and reintegration mind set in the event our OFWs settle for good in the country.

Also, another novel feature of the bill is the teaching of basic language on vocabulary, common words, and listening skills of destination countries to our OFWs for them to easily communicate, adapt and integrate with the destination countries. This is aside from the fact that learning basic language of the destination country will certainly add value to the services of our OFWs to their foreign employers that will make them more internationally and globally competitive.

In view of the foregoing, early approval of the bill is earnestly sought.



**WESLIE T. GATCHALIAN**  
Representative  
Alay Buhay Partylist

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 8042, OTHERWISE**  
**KNOWN AS THE MIGRANT WORKERS AND**  
**OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED,**  
**FURTHER STRENGTHENING THE PRE-DEPARTURE**  
**ORIENTATION PROGRAM OF THE OVERSEAS**  
**FILIPINO WORKERS.**

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

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

“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. 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 free comprehensive Pre-Employment Orientation Seminars (PEOS) and Pre-Departure Orientation Seminar (PDOS) with the following curriculum:

- a. Terms of deployment and employment contracts including rights and obligations of labor migrants and their employers
- b. Criminal laws and regulations of destination countries;
- c. Arrival and departure procedures for country of origin and destination countries;
- d. Role of the Philippine diplomatic missions and procedures on how to access assistance;
- e. Basic language course of destination countries;
- f. Issue on human rights and drug trafficking;
- g. Cultural and religious awareness of destination countries;
- h. Insurance claims and financial literacy;
- i. Banking and remittance channels;
- j. Social security benefits;
- k. Occupational safety and health;
- l. Human rights and gender sensitivity;
- m. Mental and psychological issues;
- n. Reintegration for returning and deported OFWs;"

Provided that an OFW who has been hired in a foreign country for at least ten (10) years and whose contract was renewed or rehired in the same country shall no longer be required to attend the seminar unless a new curriculum is introduced for which the said OFW shall attend for the new course.

Provided further, that the seminar shall be conducted by professionals and accredited instructors for specific occupation, experience and destinations.

**SECTION 2. Rules and Regulations.** - The POEA and DOLE shall, within ninety days (90) days after the approval of this bill shall issue the necessary rules and regulations for the effective implementation of this Act.

**SECTION 3. *Separability Clause.*** - If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 4. *Repealing Clause.*** - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with any provision of this Act is hereby amended or modified accordingly.

**SECTION. 5. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspaper of general circulation.

Approved,