

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

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7181**



Introduced by Representative Gabriel H. Bordado, Jr.

EXPLANATORY NOTE

Without an office abroad where they can lodge or file their complaints and grievances against foreign employers, many Overseas Filipino Workers (OFW) are helpless as they suffer forms of slavery as well as physical, psychological, and economic abuse. This is because any cause of action that an OFW has over his or her employer can only be heard before the National Labor Relations Commission (NLRC) which has no office abroad.

The creation of the Office of Philippine Overseas Labor Arbiter will address the aforesaid concern. This Act does not discriminate between a Filipino holding his Philippine Passport and a Filipino who has no Philippine Passport at all because, more often than not, passports are confiscated by employers. Likewise, this Act does not require that the OFWs should have an employment agency or be documented before their concerns could be heard.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A handwritten signature in blue ink, appearing to read "Gabriel H. Bordado, Jr.", written over the printed name.

Gabriel H. Bordado, Jr.
Representative, Third District of Camarines Sur

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**An Act Creating the Office of Philippine Overseas Labor Arbiter
for the Protection of Overseas Filipino Workers, Appropriating Funds
Therefor and for Other Purposes**

Section 1. Title. This Act shall be known as the Philippine Overseas Labor Arbiter Act of 2018.

Sec. 2. Declaration of Policy. The state acknowledges its duty to protect and promote labor rights of Filipinos working abroad.

Sec. 3. Creation. There is hereby created under the Department of Labor and Employment, the Office of Philippine Overseas Labor Arbiter which shall be composed of one (1) Chief Overseas Labor Arbiter (COLA) and one(1) Assistant Overseas Labor Arbiter (AOLA) per Philippine Embassy and/or Consulate.

The Chief Overseas Labor Arbiter shall be appointed by the President of the Philippines while the Assistant Overseas Labor Arbiter shall be appointed by the COLA.

No person may be appointed as COLA or AOLA who is not a member of the Integrated Bar of the Philippines in good standing for at least five(5) years prior to the appointment and who shall maintain such standing for the rest of his or her service.

The main Office of the Philippine Overseas Labor Arbiter shall be located in the National Capital Region. The Office of the Philippine Labor Arbiter shall have one (1) physical office for every Philippine Embassy and/or Consulate.

Sec. 4. Jurisdiction. The Office of the Philippine Overseas Labor Arbiter shall have concurrent jurisdiction with all cognizable cases of the National Labor Relations Commission inclusive of its powers and authorities.

The AOLA shall assist, hear and decide cases endorsed by the COLA or filed before him/her by any Filipino citizen with or without Philippine passport; with or without employment agency; or without regard to being documented overseas Filipino worker or not, in any of the physical offices abroad. His/Her decision may be reviewed by the COLA.

38 **Sec. 5. Functions.** The COLA shall be the head of office of and shall have the
39 administrative control and supervision over the Office of Philippine Overseas Labor Arbiter
40 and all the Assistants.
41

42 The COLA shall promulgate, amend, or revise, rules of procedure including fixing reasonable
43 fees for the conduct of proceedings before the Office of the Overseas Labor Arbiter which
44 shall become effective fifteen (15) days upon publication of the same in the Official Gazette.
45 The COLA may also administer oaths for documents required under the Office of the
46 Overseas Labor Arbiter and may also delegate the same to the Assistants.
47

48 Any and all acts of the COLA shall be reviewed by the Secretary of the Department of Labor
49 and Employment motu-proprio or upon petition by any interested party.
50

51 **Sec. 6. Appropriations.** The amount necessary for the implementation of this Act
52 shall initially be charged against the current year's appropriations of the DOLE. Thereafter,
53 such sums as may be required for the continued implementation of this Act shall be
54 incorporated in the annual General Appropriations Act.
55

56 **Sec. 7. Separability Clause.** Any and all laws, acts or regulation, contrary to any
57 provision hereto shall be deemed repealed or amended accordingly.
58

59 **Sec. 8. Effectivity.** This Act shall take effect fifteen (15) days upon publication of the
60 same in the Official Gazette.

Approved,