

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8414



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

According to the 2016 Survey of the Philippine Statistics Authority (PSA), the number of Filipinos working abroad is estimated at 2.2 million; On the same period, total remittances sent by OFWs to their families amounted to P203 Billion.

In fact, in 2016, the cash sent home through banks by Filipinos working abroad hit a new record high of \$2.56 Billion. Cash remittances by OFWs reached a record \$26.9 Billion, up 5% from 2015. According to the BSP, personal remittances, which included nonbank transfers accounted for 9.8% of the 2016 GDP. Clearly, remittances from OFWs continue to serve as a major contributor in the country's development.

Unfortunately, news regarding the misfortunes of OFWs while trying to earn a living away from their families are narrated frequently in local news media. With the influx of overseas Filipino workers, problems associated with their working conditions, abuses, and maltreatment have become prevalent. There is therefore a need to provide immediate care services and protection to distressed OFWs and their families.

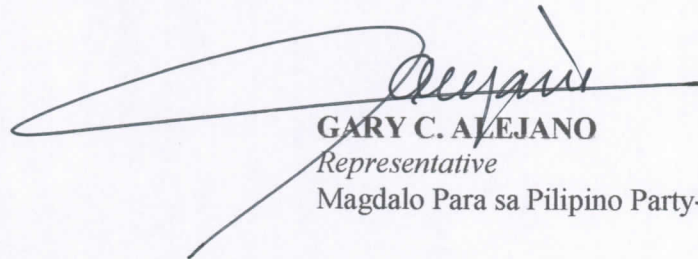
Since 2002, the Department of Social Welfare and Development (DSWD) has been deploying social workers in countries with high concentration of OFWs to provide psychosocial services to distressed OFWs, both documented and undocumented. However, there is not enough Social Welfare Attachés under the employ of the government to cater to the number of OFWs deployed around the world.

This proposed measure seeks to provide adequate and timely social, economic and legal services to OFWs, especially since these workers are vulnerable to extreme physical, emotional and psychological stress by deploying social welfare attachés to manage cases of OFWs in distress.

Likewise, having a representative situated overseas would also improve the coordination and collaboration among our government agencies, specifically the Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), and Overseas Workers Welfare Administration (OWWA), in addressing pressing concerns such as human trafficking, among many other forms of abuse

The deployment of social welfare ambassadors will go a long way in safeguarding the well-being of our workers abroad and giving them immediate aid.

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



GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
ESTABLISHING THE OFFICE FOR SOCIAL WELFARE ATTACHÉ, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE
MIGRANT WORKERS AND OVERSEAS FILIPINO ACT OF 1995, AS AMENDED,
AND FOR OTHER PURPOSES

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

1 **SEC. 1.** Section 2, paragraph (b) of Republic Act No. 8042, as amended is hereby
2 amended to read as follows:

3
4 “(b) The State shall afford full protection to labor, local and overseas, organized and
5 unorganized, and promote full employment and equality of employment opportunities
6 for all. Towards this end, the State shall provide adequate and timely social, economic
7 and legal services to Filipino Migrant Workers, ESPECIALLY SINCE THESE
8 WORKERS ARE VULNERABLE TO EXTREME PHYSICAL, EMOTIONAL AND
9 PSYCHOLOGICAL STRESS.”

10
11 **SEC. 2.** A new paragraph (e) is hereby inserted in Section 23 of Republic Act No.
12 8042, as amended, to read as follows:

13
14 “(E) DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT – THE
15 DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT SHALL
16 DEPLOY SOCIAL WELFARE ATTACHÉ TO MANAGE CASES OF OVERSEAS
17 FILIPINO WORKERS NEEDING PSYCHOSOCIAL SERVICES AND
18 OVERSEAS FILIPINOS IN DISTRESS, SUCH AS VICTIMS OF TRAFFICKING,
19 ILLEGAL RECRUITMENT, SEXUALLY-ABUSED,
20 MALTREATED/MISTREATED OVERSEAS FILIPINOS, ABANDONED/
21 NEGLECTED CHILDREN AND VULNERABLE SECTORS IN COORDINATION
22 WITH THE MEMBERS OF THE COUNTRY TEAM AND PREPARE SOCIAL
23 WELFARE SITUATIONER OF OVERSEAS FILIPINOS IN THE POST.”

24
25 **SEC. 3.** *Interpretation in favor of the welfare of overseas Filipino workers, their*
26 *families and trafficking victims.-* In the interpretation of any provision of this Act or any
27 rules or regulations issued as a result thereof, the interpretation, which is most favorable to
28 ensure the welfare of oversea Filipino workers, their families and trafficking victims shall be
29 controlling. Furthermore, nothing in this Act shall be interpreted to diminish any right or

1 privilege currently being enjoyed or provided to OFWs, their families and victims of
2 trafficking.

3
4 **SEC.4. *Funding.***- The amount necessary to carry out the provisions of this Act shall
5 be provided for in the General Appropriations Act of the year following its enactment into
6 law and thereafter.

7
8 **SEC.5. *Implementing Rules and Regulations.***- The Department of Social Welfare
9 and Development, in consultation with the Department of Foreign Affairs, Department of
10 Labor and Employment, Department of Health, Philippine Overseas Employment
11 Administration, Overseas Workers Welfare Administration, Commission on Filipino
12 Overseas and other relevant stakeholders, shall formulate and issue the implementing rules
13 and regulations for this Act within (60) days after the effectivity of this Act. The Department
14 of Social Welfare and Development shall also provide the criteria for determining the
15 selection of Diplomatic Posts to which Social Welfare Attachés will be deployed and the
16 minimum qualifications and attributes of the Social Welfare Attachés.

17
18 **SEC.6. *Separability Clause.***- If any portion or provision of this Act is declared
19 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
20 in force and effect.

21
22 **SEC.7. *Repealing Clause.***- All laws, decrees, orders, rules and regulations or
23 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
24 repealed or modified accordingly.

25
26 **SEC.8. *Effectivity.***- This Act shall take effect after fifteen (15) days following the
27 completion of its publication either in the Official Gazette or in newspaper of general
28 circulation in the Philippines.

Approved,