

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

NINETEENTH CONGRESS

First Regular Session

House Bill No. 392



Introduced by Representative Gabriel H. Bordado, Jr.

EXPLANATORY NOTE

Many Overseas Filipino Workers (OFW) are susceptible to different forms of injustice as well as physical, psychological, and economic abuse. And while they could air their grievances before the National Labor Relations Commission (NLRC), OFWs would be hard pressed for swift action because the NLRC does not have an office abroad.

The creation of the Office of Philippine Overseas Labor Arbiter would address the aforesaid concern. This Act does not require that the OFWs should have an employment agency or be documented before their concerns could be heard. Moreover, this ACT does not discriminate between a Filipino holding his Philippine Passport and a Filipino that has no Philippine Passport because it is not unheard of for employers to confiscate passports.

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


GABRIEL H. BORDADO, JR.
Third District, Camarines Sur

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

NINETEENTH CONGRESS

First Regular Session

House Bill No. 392

Introduced by Representative Gabriel H. Bordado, Jr.

**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 2022**.

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.

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

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

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

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

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

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

61
62 **SEC. 8. Effectivity.** This Act shall take effect fifteen (15) days upon publication of the
63 same in the Official Gazette.

Approved,