

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. **1698**



Introduced by Representatives
HORACIO P. SUANSING, JR. and MIKAELA ANGELA B. SUANSING

AN ACT
PROVIDING A LUMP SUM FINANCIAL ASSISTANCE TO
OVERSEAS FILIPINO WORKERS IN DISTRESS,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

In the recent statistical data released by the Philippine Statistics Authority (PSA), it is estimated that there are 1.77 million Overseas Filipino Workers (OFW) for the year 2020.¹ However, it is to be noted that the number of OFWs being deployed in 2020 plummeted due to the pandemic. In 2021, with the gradual reopening of economies, the deployment rate showed improvement with 35% increase or about 745,000 Filipino workers deployed overseas.² Notwithstanding the widespread loss of jobs and livelihood during the pandemic, our OFWs still managed to contribute to the economic recovery of the country, with a record-breaking remittance of \$34 billion last year. This accounts for 8.9% of the country's gross domestic product (GDP).³ It is expected that this growth will continue to accelerate and further propel local consumer spending. The inflow of remittances from OFWs, brought forth by a myriad of sacrifices in working in foreign lands, is one of the many reasons why they are hailed as modern-day heroes.

But beyond this social recognition are the tragic stories of our kababayans who have been victims of abuse, exploitation, and other forms of inhumane acts, perpetuated by their employers, co-workers and others. These cases have been a persistent social and cultural concern since the 1970s, and the numbers continue to rise. These injustices were only further magnified during this pandemic. According to Blas Ople Policy Center, a non-profit organization which champions migrant workers' rights and welfare, there has been an influx of reports of human rights abuses among OFWs since the pandemic broke.⁴ Gabriela Philippines also noted that in 2020, there were 5,000 documented cases of women migrant workers experiencing abuse abroad, and it is likely that these figures are underreported since victims may not feel confident that the government could do anything for them given the public

¹ 2020 Overseas Filipino Workers (Final Results). Retrieved from: <https://psa.gov.ph/content/2020-overseas-filipino-workers-final-results>

² Total number of overseas Filipino workers (OFW) deployed from 2019 to 2021. Retrieved from: <https://www.statista.com/statistics/1243681/philippines-deployed-overseas-workers/>

³ OFW remittances hit record-breaking \$34B in 2021—BSP. Retrieved from: <https://www.manilatimes.net/2022/02/15/news/ofw-remittances-hit-record-breaking-34b-in-2021-bsp/1833127>

⁴ Reports of human rights abuses against OFWs surge amid pandemic, says advocate. Retrieved from: <https://www.cnnphilippines.com/news/2020/5/22/OFW-human-rights-abuses-coronavirus.html>

health crisis.⁵ These painful experiences are further exacerbated by inadequate and oftentimes tedious application for government assistance.

As a result, returning or repatriated OFWs do not only suffer physical pain, mental and emotional stress but also mounting debts, as well as medical and legal expenses. Without adequate and immediate respite from the government, these modern-day heroes become OFWs in distress. A title not befitting these brave Filipinos, who, despite the inherent risks and vulnerabilities of being a migrant worker, still choose to put their lives in harm's way in exchange for a better future for their families.

As such, this bill seeks to provide a lump sum financial assistance of PhP 50,000 to each OFW in distress upon application. It also aims to streamline the release of the said amount by imposing a period by which the application shall be acted upon, and prescribing administrative penalties for non-compliance.

While no amount of money can ever recompense the physical and psychological damage these unfortunate events may have caused to our OFWs, an immediate and substantial amount will somehow ease their financial woes and provide reassurance that the government cares for them especially during their most difficult times.

In view of the foregoing, the approval of this bill is earnestly sought.⁶


HORACIO P. SUANSING, JR.
2nd District of Sultan Kudarat


MIKAELA ANGELA B. SUANSING
1st District of Nueva Ecija

⁵ 27 years since Flor Contemplacion, OFWs still at risk of abuse and maltreatment. Retrieved from:

<https://www.philstar.com/headlines/2022/03/18/2168201/27-years-flor-contemplacion-ofws-still-risk-abuse-and-maltreatment>

⁶ HB No. 10568, the substitute bill has been approved by the House and later on transmitted to the Senate on 24 January 2022 during the 18th Congress.

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

SECTION 1. *Short Title.* - This Act shall be known as the “Cash Assistance for Repatriated OFWs (CARE) Act of 2022”

SECTION 2. *Declaration of Policy.* - It is hereby declared a policy of the State to afford full protection to labor, particularly to migrant workers who are compelled to seek employment abroad in order to provide for their families at home. It shall ensure that the dignity and fundamental human rights and freedoms of Overseas Filipino Workers (OFW), shall not, at any time, be compromised or violated. Towards this end, the State shall provide a lump sum financial assistance to OFWs in distress, to help them recover from the hardships they have endured in foreign land, and eventually assist them in finding new and better employment and livelihood opportunities in the country.

SECTION 3. *Coverage.* – The lump sum financial assistance shall cover both documented and undocumented OFWs in distress.

For purposes of this Act, OFWs in distress shall refer to all Filipino nationals, whether documented or not, who lost their jobs and were forced by circumstances to return to the country. The term shall include, but is not limited to those who have been victims of human trafficking and/or illegal recruitment; those who have been sexually abused; those who have been maltreated or undergone slave-like conditions or involuntary servitude; those who have run away from their employers; those who have been repatriated from host countries hit by natural and man-made calamities, including civil disorders; those who have sought refuge at Welfare Centers; and those who have been found stranded anywhere in host countries where they intended to seek employment.

SECTION 4. *Financial Assistance to OFWs in Distress.* - A Lump Sum Financial Assistance for OFWs in Distress shall be provided in the amount of **Fifty Thousand Pesos (PhP 50,000.00)**, which shall be released to each OFW in distress, upon submission of documentary requirements within such period as determined by the implementing agency. Provided, that

such period shall not be more than fourteen (14) days from the date of application. Provided, further, that the minimum requirement for the filing of application shall be the OFW's passport or any travel document, as proof of his/her country of origin and date of arrival.

The amount of assistance shall be reviewed and, when necessary, adjusted or increased by the Overseas Workers Welfare Administration (OWWA) every three (3) years after the effectivity of this Act, in consultation with the Department of Migrant Workers (DMW) and Department of Budget and Management (DBM) and other relevant stakeholders, taking into account the national inflation rate, and other relevant economic indicators, as reported and published by the pertinent government agencies or authorities: provided, that the financial assistance shall not be less than the amount initially specified in this Act.

SECTION 5. *Implementing Agencies, and Rules and Regulations.* - The OWWA is hereby tasked to implement this Act, and shall coordinate with, and be supported by the DMW, Department of Labor and Employment (DOLE), and the Department of Foreign Affairs (DFA). The abovementioned agencies, in consultation with the DBM and representatives from the private sector, and recognized overseas labor organizations, shall issue the rules and regulations necessary to implement the provisions of this Act, within ninety (90) days after its effectivity.

SECTION 6. *Penalties.* - Any employee of the government found to have caused the delay in the release of the Financial Assistance to OFWs in distress, within the prescribed period as provided under Section 4 of this Act, shall be subject to the following penalties:

- a. If the employee who caused the delay is a supervisor or head or any person in equivalent capacity, he/she shall be proceeded against in accordance with Section 11 (a) of the Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees; and
- b. In all other cases, the penalties shall be:
First Offense – 90 day-suspension
Second Offense – 120 day-suspension
Third Offense – Dismissal from service.

SECTION 7. *Appropriations.* - The funds needed to initially implement the provisions of this Act shall be sourced from the budget of OWWA and DMW. Thereafter, it shall be included in the annual General Appropriations Act (GAA). The annual appropriation shall be sourced from the earnings of the Bureau of Immigration, Duty Free Philippines, passport processing fees of the Department of Foreign Affairs (DFA), Philippine Charity Sweepstakes Office (PCSO), Philippine Gaming Corporation (PAGCOR), and other relevant offices or agencies as may be recommended and identified in the implementing rules and regulations.

SECTION 8. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 9. *Repealing Clause.* - All laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved,