



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session
House Bill No. **2577**

INTRODUCED BY:

REPRESENTATIVE MARISSA "DEL MAR" MAGSINO
ONE FILIPINOS WORLDWIDE (OFW) PARTYLIST

EXPLANATORY NOTE

In a Third World country like the Philippines where unemployment and underemployment are perennial problems, many are compelled to seek work in other countries where wages are lucrative. Their work overseas helped reduced poverty and played a major part in propping up the local economy through their remittances. Overseas Filipino workers (OFWs) are indeed the country's modern-day heroes.

Regrettably, however, OFWs suffer the pain and loneliness of separation from their families and become victims of physical or sexual abuse by their foreign employers and agents, and sometimes even end up jailed or dead in foreign prisons. These difficulties are compounded often by the lackluster if not ineffective response of the Philippine embassy and consular officials in the host countries in addressing their situations. On many occasions, relatives of OFWs suffering from maltreatment and abuses in the host countries have to approach concerned government agencies in the country to make known the plight of their loved ones and seek for immediate and needed assistance on their behalf. This task alone proves to be very difficult, time-consuming and costly on the part of the OFWs and their families.

Moreover, many of those desiring to work abroad are victimized by illegal recruiters and other fraudulent schemes, thereby robbing them of hard-earned or borrowed resources and depriving them in the process of a better future hoped for.

Their cases often do not reach the proper authorities for appropriate actions and for reparations. As a result, they are burrowed deeper into poverty.

Under these circumstances, there is a need for an effective mechanism whereby the complaints and concerns of OFWs working abroad and those still in the country and their relatives will be attended to by concerned government agencies through a system of referrals, and information gathering and documentation system, akin to a help or assistance desk.

Republic Act No. 8042, also known as the “Migrant Workers Act”, as amended by Republic Act No. 10022, mandates the establishment of OFW Help Desks in all local government units (LGUs) with the objective of providing current information to their constituents on all the processes aspects of overseas employment. It is likewise tasked to be linked to the database of all concerned government agencies, particularly the POEA, for its updated lists of overseas job orders and licensed recruitment agencies in good standing. Furthermore, there already exists a Memorandum of Agreement on Convergence Program for OFWs forged by the Department of Labor and Employment (DOLE), the Technical Education and Skills Development Authority (TESDA), the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA), with the LGUs to institutionalize the arrangement.

This bill seeks to further strengthen the OFW Desk in all LGUs by expanding its functions to become more responsive and effective in fulfilling its mandate, and in accomplishing the objectives of the law creating it. Specifically, this measure proposes for the following additional functions of the OFW Help Desks in all LGUs:

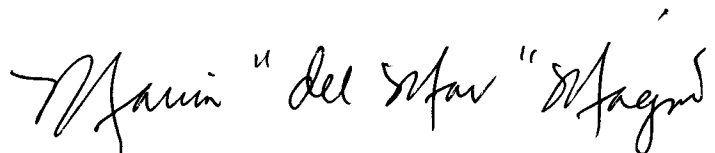
- 1) To endorse to the concerned government agencies requests for assistance and other concerns of OFWs for their appropriate actions, and to monitor and document actions taken therefor;
- 2) To plan, implement and monitor yearly work programs in pursuance of the objectives of the “Migrant Workers Act”, as amended, and other existing laws on the protection of rights and promotion of welfare of OFWs, including but not limited to: Republic Act No. 10801, or the “Overseas Workers Welfare Administration Act”; Republic Act No. 11641, or the “Department of Migrant Workers Act”, pertinent executive issuances, and local ordinances consistent with the law; and,
- 3) To monitor the health status of all Filipino repatriates within their respective localities through the local health workers, particularly in times of public health emergencies, to ensure the implementation of health protocols approved or imposed by duly constituted authorities in response to such public health emergencies.

Moreover, this bill also seeks to establish similar OFW Desks in all police stations nationwide and Offices of Police Attaches around the world with the following specific functions:

- 1) To assist OFWs in filing complaints or charges against any individual, establishment, business entity, institution, or agency, on abuses or crimes committed against their persons and families, or for refusing to comply with the provisions of existing laws on their rights and privileges, before the proper authorities;
- 2) To establish linkages with accredited non-government organizations (NGOs) and people's organizations (POs) in their respective areas and jurisdictions involved in the advocacy of protecting the rights and promoting the welfare of OFWs; and,
- 3) To plan, implement and monitor yearly work programs in pursuance of the objectives of the "Migrant Workers Act", as amended, and other existing laws on the protection of rights and promotion of welfare of OFWs, including but not limited to: Republic Act No. 10801, or the "Overseas Workers Welfare Administration Act"; Republic Act no. 11641, or the "Department of Migrant Workers Act", pertinent executive issuances, and local ordinances consistent with the law.

Our government must continue to act with concern and urgency to address the plight of our OFWs in their host countries and those seeking for better employment. It must proceed to improve the services to OFWs needing help, and aggressively pursue measures that will provide better economic opportunities for them upon their return home. It is the best way for the government and our people to express our gratitude to our OFWs for their sacrifices and contributions to nation-building.

Premises well-considered, the immediate approval of this bill is earnestly urged.


HON. MARISSA "DEL MAR" MAGSINO



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INTRODUCED BY:

**REPRESENTATIVE MARISSA “DEL MAR” MAGSINO
ONE FILIPINOS WORLDWIDE (OFW) PARTYLIST**

**AN ACT
STRENGTHENING THE OVERSEAS FILIPINO WORKERS (OFW)
DESKS IN ALL LOCAL GOVERNMENT UNITS,
PROVIDING FOR THE ESTABLISHMENT OF OFW DESKS
IN ALL POLICE STATIONS THROUGHOUT THE COUNTRY AND OFFICES
OF POLICE ATTACHES AROUND THE WORLD,
PROVIDING FOR THEIR FUNCTIONS, AND FOR OTHER PURPOSES,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8042, AS AMENDED,
OTHERWISE KNOWN AS THE ‘MIGRANT WORKERS ACT’**

SECTION 1. Section 23 of Republic Act No. 8042, otherwise known as the “Migrant Workers Act”, as amended by Republic Act No. 10022, is hereby further amended to read as follows :

Section 23. *ROLE OF GOVERNMENT AGENCIES.* – The following government agencies shall perform the following to promote the welfare and protect the rights of migrant workers and, as far as applicable, all overseas Filipinos:

- (a) Department of Foreign Affairs. – The Department, through its home office or foreign posts, shall take priority action its home office or foreign posts, shall take priority action or make representation with the foreign authority concerned to protect the rights of migrant workers and other overseas

Filipinos and extend immediate assistance including the repatriation of distressed or beleaguered migrant workers and other overseas Filipinos;

XXXXXXXXXXXXX

(b) XXXXXXXXXXXXX

(c) XXXXXXXXXXXXX

(d) Local Government Units. - In the fight against illegal recruitment, the local government units (LGUs), in partnership with the POEA, other concerned government agencies, and non-government organizations advocating the rights and welfare of overseas Filipino workers, shall take a proactive stance by being primarily responsible for the dissemination of information to their constituents on all aspects of overseas employment, **AND FOR THE PROVISION OF ASSISTANCE TO OFWs AND THEIR FAMILIES ON ALL THEIR ISSUES AND CONCERNS THROUGH PROPER ENDORSEMENT OR REFERRAL TO THE CONCERNED GOVERNMENT AGENCIES. TO CARRY OUT THESE TASKS,** the following shall be undertaken by the LGUs:

(d.1) Provide a venue for the POEA, other concerned government agencies and non-government organizations to conduct PEOS to their constituents on a regular basis;

(d.2) Establish overseas Filipino worker ~~help~~ desk or kiosk in their localities with the objective of providing current information to their constituents on all the processes and aspects of overseas employment. Such desk or kiosk shall be linked to the database of all concerned government agencies, particularly the POEA for its updated lists of overseas job orders and licensed recruitment agencies in good standing. **IT SHALL ALSO:**

(D.2.1.) ENDORSE TO THE CONCERNED GOVERNMENT AGENCIES REQUESTS FOR ASSISTANCE AND OTHER CONCERNS OF OFWS FOR THEIR APPROPRIATE ACTIONS, AND MONITOR AND DOCUMENT THE ACTIONS TAKEN THEREFOR;

(D.2.2.) PLAN, IMPLEMENT AND MONITOR YEARLY WORK PROGRAMS IN PURSUANCE OF THE OBJECTIVES OF THIS ACT, AS AMENDED, AND OTHER EXISTING LAWS ON THE PROTECTION OF RIGHTS AND PROMOTION OF WELFARE OF OFWS, INCLUDING BUT NOT LIMITED TO: REPUBLIC ACT NO. 10801, OR THE “OVERSEAS WORKERS WELFARE ADMINISTRATION ACT”, REPUBLIC ACT

NO. 11641, OR THE “DEPARTMENT OF MIGRANT WORKERS ACT”, PERTINENT EXECUTIVE ISSUANCES, AND LOCAL ORDINANCES CONSISTENT WITH THE LAW;

(D.2.3.) MONITOR THE HEALTH STATUS OF ALL FILIPINO REPATRIATES WITHIN THEIR RESPECTIVE LOCALITIES THROUGH THE LOCAL HEALTH WORKERS, PARTICULARLY IN TIMES OF GLOBAL AND/OR NATIONAL PUBLIC HEALTH EMERGENCIES TO ENSURE THE IMPLEMENTATION OF HEALTH PROTOCOLS APPROVED OR IMPOSED BY DULY CONSTITUTED AUTHORITIES IN RESPONSE TO SUCH PUBLIC HEALTH EMERGENCIES.

(E) THE PHILIPPINE NATIONAL POLICE (PNP) SHALL ESTABLISH OVERSEAS FILIPINO WORKERS (OFW) DESKS IN ALL POLICE STATIONS THROUGHOUT THE COUNTRY AND OFFICE OF POLICE ATTACHES AROUND THE WORLD TO SERVE AS ASSISTANCE AND MONITORING CENTER FOR OFWs AND THEIR FAMILIES IN THEIR RESPECTIVE AREAS AND JURISDICTIONS WITH THE FOLLOWING SPECIFIC FUNCTIONS:

(E.1.) ASSIST OFWS IN FILING COMPLAINTS OR CHARGES AGAINST ANY INDIVIDUAL, ESTABLISHMENT, BUSINESS ENTITY, INSTITUTION, OR AGENCY, ON ABUSES OR CRIMES COMMITTED AGAINST THEIR PERSONS AND FAMILIES, OR FOR REFUSING TO COMPLY WITH THE PROVISIONS OF EXISTING LAWS ON THEIR RIGHTS AND PRIVILEGES, BEFORE THE PROPER AUTHORITIES;

(E.2.) ESTABLISH LINKAGES WITH ACCREDITED NON-GOVERNMENT ORGANIZATIONS (NGOS) AND PEOPLE’S ORGANIZATIONS (POS) INVOLVED IN THE ADVOCACY OF PROTECTING THE RIGHTS AND PROMOTING THE WELFARE OF OFWS; AND,

(E.3.) PLAN, IMPLEMENT AND MONITOR YEARLY WORK PROGRAMS IN PURSUANCE OF THE OBJECTIVES OF THIS ACT, AS AMENDED, AND OTHER EXISTING LAWS ON THE PROTECTION OF RIGHTS AND PROMOTION OF WELFARE OF OFWS, INCLUDING BUT NOT LIMITED TO: REPUBLIC ACT NO. 10801, OR THE “OVERSEAS

**WORKERS WELFARE ADMINISTRATION ACT”;
REPUBLIC ACT NO. 11641, OR THE “DEPARTMENT OF
MIGRANT WORKERS ACT”, PERTINENT EXECUTIVE
ISSUANCES, AND LOCAL ORDINANCES CONSISTENT
WITH THE LAW;**

**THE CHIEF OF THE PNP SHALL ISSUE APPROPRIATE ORDERS
TO PROVIDE FOR THE MANNING AND LOGISTICAL
REQUIREMENTS OF ESTABLISHING THE OFW DESKS AND
OFFICES OF POLICE ATTACHES AS PROVIDED FOR IN THIS
ACT AND IN ACCORDANCE WITH THE OBJECTIVES OF THIS
ACT.**

SECTION 2. *Implementing Rules and Regulations* – Within ninety (90) days from the effectivity of this Act, the Department of Migrant Workers (DMW), Department of the Interior and Local Government (DILG), and the Philippine National Police (PNP), in consultation with non-government organizations (NGOs) and people’s organizations (POs) engaged in the advocacy of OFW concerns, shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SECTION 3. *Repealing Clause* - All laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,