

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **2712**



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo B. Revilla III

AN ACT
TO FURTHER ASSIST FILIPINO MIGRANT WORKERS, AMENDING FOR THE
PURPOSE SECTION 10 OF REPUBLIC ACT NO. 8042, AS AMENDED

EXPLANATORY NOTE

Filipino migrant workers have long been considered the backbone of the country's overseas employment sector, contributing significantly to the national economy through their remittances. However, despite their economic contributions, migrant workers face numerous challenges abroad, including exploitation, abuse, and the lack of proper protection and support from both host countries and the Philippine government.

Republic Act (RA) No. 8042, otherwise known as the "*Migrant Workers and Overseas Filipinos Act of 1995*," was enacted to ensure the welfare and protection of Filipino migrant workers. It established policies for the protection of workers, their families, and those who are engaged in overseas employment. However, there remain gaps in the law, especially in providing timely and adequate assistance to Filipino migrant workers in distress and ensuring that they receive adequate legal and social support.

Section 10 of Republic Act No. 8042, as amended, deals with the establishment of a welfare fund for migrant workers. While it aims to help in addressing the immediate needs of migrant workers, the evolving nature of migration patterns, emerging concerns about the safety of Filipino workers, and the need to strengthen the support mechanisms demand that further adjustments and improvements be made in the existing framework.

This measure seeks to amend Section 10 of RA 8042 to provide a more comprehensive and accessible welfare assistance program for Filipino migrant workers, especially those in difficult or stressful situations. This is a crucial step toward fulfilling the government's commitment to improving the lives of Filipino migrant workers and their families as it aims to ensure that they receive the protection, support, and resources they deserve, helping them achieve better living and working conditions while safeguarding their rights and dignity.

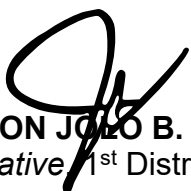
In view of the foregoing, the early passage of this bill is urgently sought.



REP. BRYAN B. REVILLA
Representative, AGIMAT Partylist



REP. LANI MERCADO-REVILLA
Representative, 2nd District of Cavite



REP. RAMON JOLO B. REVILLA III
Representative, 1st District of Cavite

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

Section 1. The fifth paragraph of Section 10 of Republic Act No. 8042, otherwise known as the "Migrant Workers and Overseas Filipino Act" as amended by Republic Act. No. 10022, is hereby amended by repealing the clause "or for Three (3) months every year of the unexpired term, whichever is less", to read as follows:

"Section 10. Money Claims. - Notwithstanding any provision of law to the contrary, the Labor Arbiters of the National Labor Relations Commission (NLRC) shall have the original and exclusive jurisdiction to hear and decide, within ninety (90) calendar days after filing of the complaint, the claims arising out of an employer-employee relationship or by virtue of any law or contract involving Filipino workers for overseas deployment including claims for actual, moral, exemplary and other forms of damages.

The liability of the principal/employer and the recruitment/placement agency for any and all claims under this section shall be joint and several. These provisions shall be incorporated in the contract for overseas employment and shall be a condition precedent for its approval. The performance bond to be filed by the recruitment/placement agency, as provided by law, shall be answerable for all money claims or damages that may be awarded to the workers. If the recruitment/placement agency is a juridical being, the corporate officers and directors and partners as the case may be, shall themselves be jointly and solidarily liable with the corporation or partnership for the aforesaid claims and damages.

Such liabilities shall continue during the entire period or duration of the employment contract and shall not be affected by any substitution, amendment or modification made locally or in a foreign country of the said contract.

Any compromise/amicable settlement or voluntary agreement on money claims inclusive of damages under this section shall be paid within four (4) months from the approval of the settlement by the appropriate authority. In case of termination of overseas employment without just, valid or authorized cause as defined by law or contract, the workers shall be entitled to the full reimbursement of his placement fee with interest of twelve percent (12%) per annum, plus his salaries for the unexpired portion of his employment contract [or for three (3) months for every year of the unexpired term, whichever is less.] **PROVIDED THAT THE DEPARTMENT OF LABOR AND EMPLOYMENT AND ITS ATTACHED AGENCIES SHALL PROVIDE NEW SKILL TRAININGS, RE-TRAINING PROGRAMS, LIVELIHOOD AND TECHNOLOGY ASSISTANCE, SEMINARS FOR MICRO-FINANCE ASSISTANCE, AND SIMILAR OPPORTUNITIES FOR RETURNING OVERSEAS FILIPINO WORKERS.**

Non-compliance with the mandatory periods for resolutions of cases provided under this section shall subject the responsible officials to any or all of the following penalties;

- (a) The salary of any such official who fails to render his decision or resolutions within the prescribed period shall be, or caused to be, withheld until the said official complies therewith;
- (b) Suspension for not more than ninety (90) days; or
- (c) Dismissal from the service with disqualifications to hold any appointive public office for five (5) years.

Provided, however, That the penalties herein provided shall be without prejudice to any liability which any such official may have incurred under other existing laws or rules and regulations as a consequence of violating the provisions of this paragraph.

Sec. 2. *Repealing Clause.* - All laws, rules and regulation, orders, circulars and memoranda inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 3. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,