

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **4166**



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

EXPLANATORY NOTE

The overseas labor force of the Philippines continues to serve as a pillar of national development. Filipino migrant workers, driven by the promise of better livelihoods abroad, contribute significantly to the economy through remittances while also representing the Filipino spirit and values in every corner of the world. However, behind the success stories lie countless accounts of injustice, abuse, and exploitation. These are not isolated incidents, but systemic issues that demand an institutionalized, legal response beyond our current frameworks.

Despite the presence of the Department of Labor and Employment (DOLE) and the Overseas Workers Welfare Administration (OWWA), there exists a critical gap in the delivery of on-site labor justice and dispute resolution for overseas Filipino workers (OFWs). These institutions do not have offices abroad. Moreover, labor-related grievances filed abroad, which ranges from contract substitution, illegal dismissal, non-payment of wages, to workplace abuse, often encounter procedural delays or jurisdictional confusion between agencies. As the demand for protection rises in parallel with the growing OFW population, it becomes imperative to create a dedicated mechanism focused solely on adjudicating overseas labor cases where and when they happen.

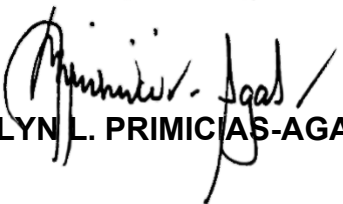
This bill seeks to establish the Office of the Philippine Overseas Labor Arbiter, under the Department of Labor and Employment, as a specialized body empowered to hear and decide labor-related complaints of Filipinos abroad. With a Chief Overseas Labor Arbiter (COLA) and Assistant Overseas Labor Arbiters (AOLAs) assigned to each Philippine Embassy or Consulate, the office shall have direct authority and physical presence in foreign posts to ensure that justice is not only accessible, but also timely and responsive.

The legal foundation for this measure is firmly grounded in *Article XIII, Section 3* of the *1987 Philippine Constitution*, which provides that "The State shall afford full protection to labor, local and overseas, organized and unorganized [...]" Likewise, the *Labor Code of the Philippines (Presidential Decree No. 442, as amended)* under *Article*

5 authorizes the DOLE to promulgate the necessary implementing rules and regulations. Moreover, *Republic Act No. 8042*, as amended by *Republic Act No. 10022*, otherwise known as the "*Migrant Workers and Overseas Filipinos Act*," further mandates the State to uphold the dignity and rights of migrant workers, both documented and undocumented.

This bill seeks to streamline dispute resolution by enabling immediate access to legal remedies. This inclusion ensures that no Filipino laborer is left without recourse, whether victimized by foreign employers, recruiters, or by gaps in existing protocols. More importantly, it brings the promise of labor justice closer to where our workers live and labor.

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


MARLYN L. PRIMICIAS-AGABAS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4166

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

AN ACT
CREATING THE OFFICE OF PHILIPPINE OVERSEAS LABOR ARBITER, DEFINING
ITS JURISDICTION AND FUNCTIONS, 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. The Office of Philippine Overseas Labor Arbiter is hereby created under the Department of Labor and Employment, 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.

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

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

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

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

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

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

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

Approved,