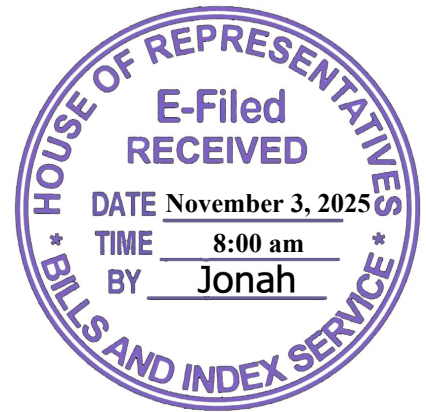




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 5725

Introduced by CIBAC Party-List Representative
EDUARDO "BRO. EDDIE" C. VILLANUEVA

EXPLANATORY NOTE

From January and September 2024, the Department of Migrant Workers (DMW) announced that more than 2.05 million Overseas Filipino Workers (OFWs) were deployed worldwide. Preliminary data from the DMW suggests that around 1.59 million of this total are land-based workers, in contrast to 455,077 who are sea-based. This indicates a 10.37% increase compared to the same period in 2023, emphasizing the increasing job openings and sustained demand for Filipino labor overseas.

However, the reality shows that many Filipinos proceed to leave the country as undocumented workers or without valid visas or legal work permits. This makes them highly vulnerable to abuse, exploitation, and human trafficking. In 2016 alone, the Department of Justice (DOJ) identified 1600 illegal recruitment cases, not even accounting for cases that were unreported and those that were dismissed before reaching the courts.¹ The former Philippine Overseas Employment Administration (POEA) noted that out of 725 illegal recruitment cases that were brought to the attention of DOJ, only 16 successfully resulted in convictions by the court—a dismal conviction rate that highlights serious gaps in enforcement and protection for our workers.²

Despite the government's effort to steadily deploy OFWs through legal channels, some of our countrymen continue to find ways to circumvent the procedures of legally seeking employment abroad. In 2022, the Bureau of Immigration (BI) uncovered a scheme in which OFWs would bring their families overseas under the guise of a vacation, when in reality, their true intent was to remain in the country they were traveling to and seek employment without proper documentation.

Under Republic Act No. 8042, as amended by Republic Act No. 10022, and its implementing rules and regulations, an Overseas Employment Certificate (OEC)

¹ Recruitment Advisor. Common Problems in the Recruitment Process in the Philippines. Available at <https://www.recruitmentadvisor.org/law/ph/kr/58/18496/58> (Accessed on 9 July 2025).

² *Ibid.*

issued by the POEA exempts OFWs from the payment of travel tax and airport terminal fees and serves as proof that an OFW is covered by government protection. However, the OEC is often perceived as an added bureaucratic burden, with some OFWs finding the process of securing it cumbersome and, at times, a deterrent to pursuing legal overseas employment.

As a result, there are instances when OFWs fail or neglect to renew their membership with the OWWA after their initial deployment, while others move to another country through third-country recruitment without registering with Philippine authorities.

In view of the foregoing, this measure proposes to establish a mechanism that incentivizes OFWs to comply with the proper procedure of securing an OEC. This will not only promote adherence to legal processes but strengthen the government's ability to monitor OFWs and safeguard them against human trafficking, exploitation, and other abuses. More importantly, this bill seeks to give free insurance coverage to qualified OFWs who apply for an OEC. This ensures that utmost protection is afforded to every Filipino who chooses to work abroad for a better future for themselves and their loved ones.

Thus, the immediate passage of this bill is earnestly sought.


EDUARDO "BRO. EDDIE" C. VILLANUEVA



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HOUSE BILL NO. 5725

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AN ACT
PROVIDING FREE INSURANCE FOR COVERED APPLICANTS OF OVERSEAS
EMPLOYMENT CERTIFICATES, APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES

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

1 **SECTION 1. Short Title.** - This Act shall be known as the *"Protektadong OFW*
2 *Act"*

3
4 **SEC. 2. Declaration of Policy.** - The State shall afford full protection to labor,
5 local and overseas, organized, and unorganized. Towards this end, the State shall
6 provide adequate and timely social, legal, and economic services to Overseas Filipino
7 Workers (OFWs). Pursuant to this, the State shall ensure that all OFWs are properly
8 monitored and accounted for with due regard for their protection and welfare and that
9 they are incentivized to make themselves known to Philippine authorities abroad.

10
11 **SEC. 3. Coverage.** – The benefits under this Act shall apply to applicants of an
12 overseas employment certificates (OEC): Provided, That the applicant-migrant worker
13 is abroad: Provided, further, That they have no prior record with the Department of
14 Migrant Workers (DMW), or if they have a prior record, is working in a vulnerable
15 sector, as may be determined by the DMW.

16
17 **SEC 4. Benefits.** – Covered migrant workers, upon securing an OEC from the
18 DMW, the Philippine Embassy, or consular offices abroad, shall be given a free one-
19 year insurance with the same or similar coverage as required under Republic Act No.
20 8042, as amended, otherwise known as the “Migrant Workers and Overseas Filipino
21 Act of 1995.” and Section 6(n) of Republic Act No. 11641, otherwise known as the
22 “Department of Migrant Workers Act.”

23
24 **SEC 5. Appropriations.** - The payment for the premium of the insurance
25 provided under this Act shall be funded partly by the budget of the DMW earmarked
26 for the *Agarang Kalinga at Saklolo Para sa mga OFW na Nangangailangan* (AKSYON)

1 Fund, budget of the Department of Foreign Affairs (DFA) earmarked for Assistance
2 to Nationals, and partly by the appropriations in the General Appropriations Act (GAA),
3 as included in the budget of the DMW. For the first year of the implementation of this
4 Act, an initial amount of Thirty Million Pesos (P30,000,000) is hereby appropriated.
5 Thereafter, such amount necessary for its continued implementation shall be included
6 in the annual GAA.

7 .
8 **SEC 6. Implementing Rules and Regulations.** - Within sixty (60) days from
9 the effectivity of this Act, the DMW, DFA, and Overseas Workers Welfare
10 Administration (OWWA) shall, in consultation with relevant government agencies and
11 stakeholders, promulgate the implementing rules and regulations (IRR) to carry out
12 the provisions of this Act.

13
14 Failure of the relevant government agencies to promulgate the IRR within the
15 specified period shall subject the heads of these government agencies to
16 administrative penalties under applicable civil service laws.

17
18 Should the IRR contain provisions that are contrary to this Act, the heads of the
19 government agencies responsible for such provision, when done in bad faith or with
20 gross negligence, shall be held administratively liable.

21
22 **SEC 7. Separability Clause.** - If any portion or provision of this Act is declared
23 unconstitutional, the remainder hereof or any provisions not affected thereby shall
24 remain in force and effect.

25
26 **SEC 8. Repealing Clause.** – Any law, presidential decree or issuance,
27 executive order, letter of instruction, rule, or regulation inconsistent with the provisions
28 of this Act is hereby repealed or modified accordingly.

29
30 **SEC 9. Effectivity.** – This Act shall take effect fifteen (15) days after its complete
31 publication in the Official Gazette or in a newspaper of general circulation.

32
33 *Approved,*