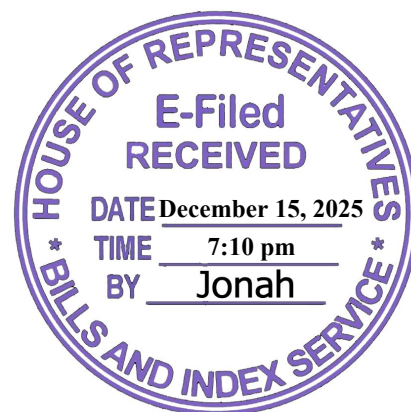


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6891



Introduced by Representative GLORIA MACAPAGAL-ARROYO and
Representative ARTHUR C. YAP

**AN ACT TRANSFERRING THE PHILIPPINE OVERSEAS CONSTRUCTION
BOARD FROM THE DEPARTMENT OF TRADE AND INDUSTRY TO THE
DEPARTMENT OF MIGRANT WORKERS, DEFINING ITS POWERS AND
FUNCTIONS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippine Overseas Construction Board (POCB) was originally established under the Department of Trade and Industry (DTI) to promote the participation of Filipino construction firms in overseas projects. Under its current placement, the POCB operates with a predominantly trade and enterprise focus, centered on technical promotion and facilitation of contracts. However, the evolving structure of global construction demands linking market promotion with labor deployment, worker protection, and institutional alignment with overseas labor missions, labor attachés, Migrant Workers Offices, the Overseas Workers Welfare Administration (OWWA), the Philippine Overseas Employment Administration (POEA), and other relevant mechanisms.

This bill transfers the POCB from the DTI to the Department of Migrant Workers, enhancing inter-agency coordination, institutional capacity, and policy coherence by centralizing deployment, promotion, worker assistance, capacity building, and contract facilitation into a single, migrant-centered framework. The transfer will also allow for stronger monitoring of labor standards, dispute resolution mechanisms, and legal assistance for Filipino construction workers.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ARTHUR C. YAP
Murang Kuryente Party-List


GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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

SECTION 1. Short Title. – This Act shall be known as the “Philippine Overseas Construction Board Transfer Act.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to promote the employment, welfare, and professional development of Filipino workers in the global construction sector. Recognizing the significant deployment of Filipino construction, engineering, and technical workers abroad and the vital need for institutional coordination, the State shall strengthen the oversight, promotion, regulation, and protection of overseas construction services by transferring the Philippine Overseas Construction Board (POCB) to the Department of Migrant Workers (DMW), the primary agency mandated to protect the rights and promote the welfare of Filipino migrant workers.

SEC. 3. Transfer of the Philippine Overseas Construction Board. – The Philippine Overseas Construction Board, including all its powers, functions, programs, assets, funds, records, personnel, and liabilities, is hereby transferred from the Department of Trade and Industry to the Department of Migrant Workers.

SEC. 4. Mandate and Functions under the Department of Migrant Workers. – Under the DMW, the POCB shall perform the following functions:

- a. Promote the participation of Filipino construction service providers, contractors, consultants, engineers, architects, and related professionals in overseas construction and engineering projects;
- b. Coordinate with the Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare Administration (OWWA), and other relevant agencies to align policies for the deployment, welfare, and skills development of overseas construction workers;
- c. Assist Filipino firms and consortia in securing foreign contracts, complying with international standards, and cultivating partnerships with international organizations and foreign governments;
- d. Develop programs on capacity building, accreditation, certification, and training to enhance the global competitiveness of Filipino construction manpower;
- e. Monitor and evaluate labor standards, contractual compliance, and occupational safety in overseas construction placements, in close coordination with labor attachés and Migrant Workers Offices;
- f. Maintain a database of overseas construction opportunities, foreign contractors, Filipino service providers, and Filipino workers deployed in the global construction sector;
- g. Recommend policies, measures, and legislative proposals promoting sustainable growth of overseas construction services, aligned with migrant rights protection principles.

SEC. 5. Organizational Alignment. – The POCB shall operate as a bureau under the DMW, under the functional supervision of the Undersecretary for Overseas Workers Employment and Welfare Services or as may be designated by the Secretary of Migrant Workers. It shall have such divisions and support units as may be determined by the Secretary to effectively discharge its mandate.

SEC. 6. Personnel and Staffing. – Permanent, contractual, and plantilla personnel of the POCB shall be absorbed by the DMW, subject to existing civil service rules and regulations, without diminution of rank, tenure, salaries, and benefits. Personnel may be reassigned as deemed necessary to properly align with the organizational structure of the DMW.

SEC. 7. Appropriations. – The funds, assets, and resources of the POCB currently under the DTI are hereby transferred to the DMW. The initial funding requirements for the transfer, reorganization, and operations of the POCB under the DMW shall be sourced from the current budget of the DTI and savings from the DMW. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SEC. 8. Transition Committee. – Within thirty (30) days from the effectivity of this Act, the Secretary of Migrant Workers and the Secretary of Trade and Industry shall jointly constitute a Transition Committee to facilitate the orderly transfer. The Committee shall formulate guidelines to:

- a. Ensure an organized transfer of functions, personnel, resources, and records;

- b. Harmonize existing programs and operations with the framework and mandates of the DMW;
- c. Avoid disruption of services to Filipino construction firms and migrant workers.

The Committee shall complete its tasks within six (6) months.

SEC. 9. Coordination with Other Agencies. – The POCB, under the DMW, shall closely coordinate with the Department of Foreign Affairs, the Philippine Overseas Labor Offices, the Department of Labor and Employment, OWWA, POEA, Technical Education and Skills Development Authority, and other relevant agencies to support overseas construction deployment, skills enhancement, and rights protection.

SEC. 10. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the DMW, in coordination with the DTI and other concerned agencies, shall promulgate the implementing rules and regulations to effectively carry out the provisions of this Act.

SEC. 11. Separability Clause. – If any part or provision of this Act is held unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

SEC. 12. Repealing Clause. – All laws, executive orders, administrative orders, rules, and regulations inconsistent with this Act are hereby amended or repealed accordingly.

SEC. 13. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,