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RESOLUTION
URGING THE SENATE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN
RESOURCES DEVELOPMENT TO CONDUCT A REVIEW AND ASSESSMENT, IN
AID OF LEGISLATION, ON THE RECRUITMENT PROCEDURES AND
REGULATIONS IMPOSED BY THE PHILIPPINE OVERSEAS EMPLOYMENT
AGENCY (POEA) WITH REGARD TO THE SO-CALLED "LOW AND SEMI-
SKILLED OVERSEAS WORKERS" DEFINED IN MEMORANDUM CIRCULARS 5
AND 6, SERIES OF 2009, AND TO ENSURE FAIR AND REASONABLE
APPLICATION TO OVERSEAS FILIPINO WORKERS

Whereas, the 1987 Philippine Constitution recognizes the importance of labor for the development not only of the nation but of individual citizens as well, such that in Article II Section 18, "[t]he State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.";

Whereas, the Philippine Employment Overseas Agency (POEA) was created as an attached agency of the government by virtue of Executive Order 797 in 1982 and was mandated to promote and develop the extent of the overseas employment program and consequently protect the rights of our migrant workers;

Whereas, the POEA subscribes to the realization of the core functions directed toward industry regulation, employment facilitation, worker's protection and general support and administration services;

Whereas, Memorandum Circular No. 5 issued by the Agency added 44 job classifications to be recognized under the low and semi-skilled category of workers and on June 15, 2009, Memorandum Circular No. 6 manifested that the deployment rules and regulations of low and semi-skilled workers employed abroad have been tightened, conspicuously that additional requirements are needed from the applicants as well as the imposed additional requirement for verification by the Philippine Overseas Labor Office (POLO) and authentication by the Philippine embassy of the applicants;

Whereas, the new employment regulation added processing requirements, to wit, accomplished information sheet, verified individual employment contract, valid employment visa/work permit, pre-departure orientation seminar certificate, national certificate II from the Technical Education and Skills Development Authority (TESDA) and language orientation certificate from the Overseas Workers Welfare Administration (OWWA);

Whereas, as the additional procedures and requirements imposed were believed to strengthen the protection mechanism for overseas Filipino workers, militant groups demonstrated by The Federated Association of Manpower Exporters actually oppose the supplementary requirements in contention that, “the new rules are “unrealistic” and “detrimental” to the employment of more Filipino worker abroad,” as expressed by Eduardo Mahiya, president of the Federation;

Whereas, accordingly, the new set of rules were issued without proper consultation with the overseas employment sector;

Whereas, it was argued further that the new rules will make it difficult to deploy low skilled workers, and would probably “frustrate or “turn off” foreign recruitment offices in receiving countries, specifically those in the Middle East”;

Whereas, a clarification should be made with the intention of minimizing the bureaucracy of procedure, the multiplicity of processes, and the betterment of services for the OFWs: NOW THEREFORE BE IT

RESOLVED, as it is hereby resolved, to urge the Senate Committee on Labor, Employment and Human Resource Development to conduct a review and assessment, in aid of legislation, on the recruitment procedures and regulations imposed by the Philippine Overseas Employment Agency to the so-called “low and semi-skilled overseas wokers” defined in Memorandum Circulars 5 and 6, series of 2009, and to ensure fair and reasonable application to overseas Filipino workers.

Adopted,


MANNY VILLAR