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SENATE

P.S.R. No. 570

RECEIVED BY: 

Introduced by Senator Aquilino "Koko" Pimentel III

RESOLUTION

DIRECTING THE APPROPRIATE COMMITTEES OF THE PHILIPPINE SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POSSIBLE EFFECTS OF THE NEW LABOR POLICY OF THE KINGDOM OF SAUDI ARABIA (KSA) ON THE DEPLOYMENT OF OVERSEAS FILIPINO WORKERS (OFWS) TO THE SAID COUNTRY WITH THE END IN VIEW OF ENACTING REMEDIAL MEASURES TO MITIGATE THE IMPACT OF THIS NEW LABOR POLICY ON THE ESTIMATED 1.5 MILLION OFWS WORKING IN THE KSA

WHEREAS, the Philippine Constitution affirms labor as a primary social economic force and mandates the State to afford full protection to labor, local and overseas, by protecting the rights of workers and promoting their welfare;

WHEREAS, the Kingdom of Saudi Arabia (KSA) is the number one destination country of Overseas Filipino Workers (OFWs) since the inception of the Philippine Overseas Employment Program from the 1970s up to the present;

WHEREAS, any policy involving foreign workers in the KSA has a direct impact on the estimated 1,550,572 Filipinos therein, and their respective family members here in the Philippines;

WHEREAS, according to the KSA Labor Ministry, the designation of mega-recruitment agencies in the KSA is one of their key reform areas and that these mega-recruitment agencies will have higher capitalization and shall have the capacity to assist distressed foreign workers including putting up accommodations for these workers and serving as their visa sponsors while these recruits are in the KSA;

WHEREAS, the KSA Labor Ministry also informed the Philippine Government through the Philippine Overseas Employment Administration (POEA) that these mega-recruitment agencies will not only function as recruitment agencies but will also serve as "labor service providers" which means that they will have greater responsibility over foreign workers who pass through their offices, including the transfer of these foreign workers, including our OFWs, from one employer to another;

WHEREAS, while no Agreement has been signed regarding guidelines for the implementation of this said new KSA labor policy, it is understood that this is a unilateral decision on the part of the KSA as a sovereign state, and it is up to the

Philippine Government to proactively assert the rights of our workers as constitutionally mandated;

WHEREAS, the recruitment industry and several non-government organizations are concerned over legal conflicts and possible welfare cases that may arise because of this new KSA labor policy;

WHEREAS, given the Philippine policy against labor-only contracting as enshrined in our Labor Code, it will be a grave contradiction to allow Filipinos to be used for such purpose overseas;

WHEREAS, it is clear in the present system of welfare protection and labor policies that the POEA has the power to regulate and blacklist erring foreign employers, and it is incumbent upon the Philippine Government to make sure that such power is not diminished in the KSA where rampant contract violations have taken place;

WHEREAS, the private recruitment industry must also be duly informed on the impact of such a new labor policy on their ongoing contracts with the employers in the KSA as well as future negotiations with prospective employers;

WHEREAS, the Department of Foreign Affairs and the Department of Labor and Employment must therefore come up with a unified position regarding the new KSA labor policy to ensure that the concerns of various stakeholders especially our overseas workers are brought to the attention of the KSA government for appropriate action; and

WHEREAS, pursuant to the Constitutional policy of affording full protection to labor, Congress must enact remedial measures to mitigate the impact of this new labor policy on the estimated 1.5 million OFWs in the KSA;

NOW, THEREFORE, BE IT RESOLVED BY THE PHILIPPINE SENATE, THAT THE APPROPRIATE COMMITTEES OF THE PHILIPPINE SENATE BE DIRECTED TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POSSIBLE EFFECTS OF THE NEW LABOR POLICY OF THE KINGDOM OF SAUDI ARABIA (KSA) ON THE DEPLOYMENT OF OVERSEAS FILIPINO WORKERS (OFWS) TO THE SAID COUNTRY WITH THE END IN VIEW OF ENACTING REMEDIAL MEASURES TO MITIGATE THE IMPACT OF THIS NEW LABOR POLICY ON THE ESTIMATED 1.5 MILLION OFWS WORKING IN THE KSA.

Adopted,


AQUILINO "KOKO" PIMENTEL III