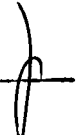


SEVENTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



16 JUL 20 P 2:52

SENATE  
S.B. No. 648

RECEIVED BY: 

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Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

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**AN ACT PROVIDING ADDITIONAL ASSISTANCE TO OVERSEAS FILIPINO WORKERS BY AMENDING REPUBLIC ACT NO. 8042, AS AMENDED BY REPUBLIC ACT 10022, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995**

**EXPLANATORY NOTE**

From the malls of Hong Kong to the souqs of the Middle East and even on massive vessels navigating through borderless seas, you'll find talented Filipinos diligently working to build a brighter future for their family.

They aren't only keeping their loved ones above water financially; they are also keeping the Philippine economy afloat with remittances reaching \$16.21 billion or P764 billion from January to August 2015.

Even with their contribution, Overseas Filipino Workers (OFWs) remain vulnerable to poor working conditions and abusive employers.

In addition, their employment abroad is no guarantee of financial success.

In a survey conducted by the Bangko Sentral ng Pilipinas last September 2015, only 38.2% of the 563 household-respondents said that a portion of the money from OFWs are set aside for savings.

There are still too many OFWs that come home without a plan for retirement. Keeping in mind our duty to empower and uplift every Filipino, the OFW Protection Act bolsters our support for the OFW community and the families they leave back home.

This measure ensures our OFWs safety by strictly monitoring and assessing accredited partner agencies and mandating the Public Attorney's Office to establish a help-desk in every international port of exit in the Philippines to offer legal service, assistance and advice to departing migrant workers.

Acknowledging the immense power in access to credible information, this measure orders effective and efficient information dissemination on labor, employment, and migration data through various mediums, including social media.

Lastly, to truly achieve prosperity for every Filipino family, this measure integrates programs on livelihood, entrepreneurship, savings, investments and financial literacy to the existing efforts of embassies.

This is our opportunity show our gratitude and appreciation to our overseas Filipinos while fulfilling our duty as public servants.

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

  
Senator Paolo Benigno "Bam" A. Aquino IV

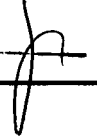


Senate  
Office of the Secretary

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*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 "*Migrant Workers and*  
2 *Overseas Filipinos Assistance Act.*"

3           **SEC. 2.** Section 14 of Republic Act. No. 8042, otherwise known as the "Migrant  
4 Workers and Overseas Filipinos Act of 1995," as amended, is hereby amended to read as  
5 follows:

6           "**Sec. 14. Travel advisory/information dissemination.** - to give utmost priority to the  
7 establishment of programs and services to prevent illegal recruitment, fraud, and  
8 exploitation or abuse of Filipino migrant workers, all embassies and consular  
9 offices, through the Philippine Overseas Employment Administration (POEA), shall  
10 issue travel advisories or disseminate information on labor and employment  
11 conditions, migration realities and other facts **IN GENERAL FORM AND/OR**  
12 **SPECIFIC TO THE COUNTRY OF WORKPLACE**; and adherence of particular countries  
13 to international standards on human and workers' rights which will adequately  
14 prepare individuals into making informed and intelligent decisions about overseas  
15 employment. Such advisory or information shall be published in a newspaper of  
16 general circulation at least three (3) times in every quarter **AND MORE BROADLY**  
17 **USING SOCIAL MEDIA AND OTHER ONLINE CHANNELS. FURTHERMORE,**  
18 **COUNTRY-SPECIFIC AND JOB-SPECIFIC INFORMATION SHOULD BE PRESENTED**  
19 **AND DISCUSSED IN THE MANDATORY PRE-EMPLOYMENT ORIENTATION**  
20 **SEMINARS (PEOS) CONDUCTED BY POEA FOR FILIPINO MIGRANT WORKERS.**

21           **ALL EMBASSIES AND CONSULAR OFFICES SHALL FURTHER BE REQUIRED TO**  
22 **DESIGNATE AT LEAST ONE (1) SOCIAL MEDIA OFFICER WHO WILL BE RESPONSIBLE**  
23 **FOR THE EFFICIENT AND TIMELY DISSEMINATION AND COMMUNICATION**  
24 **THROUGH SOCIAL MEDIA OF PERTINENT INFORMATION RELATED TO THE**  
25 **WELFARE, PROTECTION AND SECURITY OF ALL MIGRANT WORKERS AND/OR**

1 OVERSEAS FILIPINOS IN THE OFFICE'S RESPECTIVE JURISDICTION. THE SOCIAL  
2 MEDIA OFFICER/S SHALL ALSO BE RESPONSIBLE FOR ESTABLISHING A SOCIAL  
3 MEDIA PLATFORM FOR DIRECT AND REAL-TIME COMMUNICATION AND  
4 FEEDBACK. THIS PLATFORM SHALL BE USED TO COMMUNICATE WITH MIGRANT  
5 WORKERS PARTICULARLY IN CASES OF EMERGENCY OR OTHER CASES REQUIRING  
6 IMMEDIATE INFORMATION OR ASSISTANCE."

7 SEC. 3. Section 19 of Republic Act No. 8042, as amended, is hereby amended to read  
8 as follows:

9 xxx

10 "(e) Provision of human resource development, such as training and skills  
11 upgrading PROGRAMS ON LIVELIHOOD, ENTREPRENEURSHIP, SAVINGS,  
12 INVESTMENTS AND FINANCIAL LITERACY FOR OVERSEAS FILIPINOS WHILE  
13 WORKING ABROAD IN PREPARATION FOR RETURNING HOME. FOR THIS  
14 PURPOSE, THE CENTER SHALL PARTNER WITH INTERNATIONAL SUPPORT  
15 ORGANIZATIONS AND OTHER NON-GOVERNMENT ORGANIZATIONS IN THE  
16 DEVELOPMENT AND PROVISION OF RELEVANT TRAINING PROGRAMS. TRAINING  
17 SCHEDULES AND VENUES SHALL BE ARRANGED TO SUIT THE WORKING  
18 SCHEDULES AND AVAILABILITY OF OVERSEAS FILIPINOS;"

19 xxx

20 (g) Orientation program for returning workers and other migrants; AND

21  
22 (H) MONITORING OF DAILY SITUATIONS, CIRCUMSTANCES AND ACTIVITIES  
23 AFFECTING MIGRANT WORKERS AND OTHER OVERSEAS FILIPINOS. FOR THIS  
24 PURPOSE, THE SOCIAL MEDIA OFFICER/S SHALL APPRISE MIGRANT WORKERS  
25 AND OTHER OVERSEAS FILIPINOS OF URGENT OR IMPORTANT UPDATES AND  
26 OFFICIAL ADVISORIES."

27 SEC. 4. Section 23 of Republic Act No. 8042, as amended, is hereby amended to read  
28 as follows:

29 xxx

30 "(b.2) Overseas Workers Welfare Administration. – TO PREPARE MIGRANT  
31 WORKERS AND THEIR FAMILIES FOR EMPLOYMENT ABROAD, THE OWWA OR  
32 ITS DULY ACCREDITED PARTNER AGENCIES SHALL PROVIDE A comprehensive  
33 Pre-employment Orientation Seminar (PEOS) for overseas Filipino workers. The  
34 design and content of the said PEOS must be customized according to specific  
35 context of the country of workplace and type of employment. It shall also include  
36 information on relevant government programs and services related to the  
37 workers' welfare abroad and upon return.

38 All overseas Filipino workers and at least one (1) member of each worker's

1 immediate family shall be required to attend the PEOS at least three (3) days  
2 before the worker's departure.

3 **THE OWWA SHALL MONITOR AND ASSESS THE COMPLIANCE OF ITS**  
4 **ACCREDITED PARTNER AGENCIES TO QUALITY STANDARDS AND REQUIREMENTS**  
5 **FOR THE CONDUCT OF THE PEOS.**

6 **UPON ARRIVAL IN THE COUNTRY OF WORKPLACE, [T] the Welfare officer**  
7 **or in his absence, the coordinating officer shall provide the Filipino migrant**  
8 **worker and his family all the assistance they may need in the enforcement of**  
9 **contractual obligations by agencies or entities and/or by their principals. In the**  
10 **performance of this function, he shall make representation and may call on the**  
11 **agencies or entities concerned to conferences or conciliation meetings for the**  
12 **purpose of settling the compliance or problems brought to his attention.**

13 The OWWA shall likewise formulate and implement welfare programs for  
14 overseas Filipino workers and their families while they are abroad and upon their  
15 return. It shall ensure the awareness by the overseas Filipino workers and their  
16 families of these programs and other related governmental programs.

17 In the repatriation of workers to be undertaken by OWWA, the latter shall  
18 be authorized to pay repatriation-related expenses, such as fines or penalties,  
19 subject to such guidelines as the OWWA Board of Trustees may prescribe."

20 xxx

21 **"(E.) PUBLIC ATTORNEY'S OFFICE – IN THE FIGHT AGAINST ILLEGAL RECRUITMENT,**  
22 **THE PUBLIC ATTORNEY'S OFFICE (PAO) SHALL ESTABLISH A HELP DESK IN EVERY**  
23 **INTERNATIONAL PORT OF EXIT IN THE PHILIPPINES IN ORDER TO MAKE LEGAL**  
24 **SERVICE, ASSISTANCE AND ADVICE ACCESSIBLE TO DEPARTING MIGRANT**  
25 **WORKERS. THE PAO HELP DESK SHALL BE OPEN FOR TWENTY-FOUR (24) HOURS**  
26 **DAILY INCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS, AND SHALL BE STAFFED**  
27 **BY A LEGAL OFFICER."**

28 **SEC. 5.** Section 35, of Republic Act No. 8042, as amended, is hereby amended to read  
29 as follows:

30 **"Sec. 35. Exemption from Travel Tax Documentary Stamp and Airport Fee. - All**  
31 **laws to the contrary notwithstanding, the migrant workers shall be exempt from**  
32 **the payment of travel tax and airport-fee upon proper showing of proof**  
33 **entitlement by the POEA. FOR THIS PURPOSE, ALL AIRLINE COMPANIES**  
34 **OPERATING INTERNATIONAL FLIGHTS DEPARTING FROM THE PHILIPPINES SHALL**  
35 **BE REQUIRED TO PROVIDE MIGRANT WORKERS THE OPTION TO PURCHASE**  
36 **THEIR FLIGHT TICKETS ONLINE WITHOUT PAYING THE TRAVEL TAX AND**  
37 **AIRPORT-FEE.**

38 The remittances of all overseas Filipino workers, upon showing of the

1 same proof of entitlement by the overseas Filipino worker's beneficiary or  
2 recipient, shall be exempt from the payment of documentary stamp tax.”

3 **SEC. 6. *Implementing Rules and Regulations.*** – Within sixty (60) days from the  
4 effectivity of this Act, the Department of Labor and Employment (DOLE) and its relevant  
5 attached agencies, in consultation with other government agencies, shall promulgate the  
6 implementing rules and regulations for the effective implementation of this Act.

7 **SEC. 7. *Repealing Clause.*** - All laws, decrees, executive orders, issuances, rules and  
8 regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed  
9 or modified accordingly.

10 **SEC. 8. *Separability Clause.*** - If, for any reason, any portion of this Act is declared  
11 unconstitutional or invalid, the same shall not affect the validity of the other provisions not  
12 affected thereby.

13 **SEC. 9. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in  
14 at least two (2) newspapers of general circulation.

15 *Approved,*