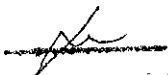


FOURTEENTH CONGRESS OF THE REPUBLIC )  
 OF THE PHILIPPINES )  
 First Regular Session )

7 APR 13 2006

SENATE  
 P.S. Resolution No. 73

RECEIVED BY: 

Introduced by Senator Panfilo M. Lacson

**RESOLUTION**

**DIRECTING THE APPROPRIATE COMMITTEES OF THE SENATE TO INQUIRE, IN AID OF LEGISLATION, ON THE CONTINUED, SAD PLIGHT OF NURSES RECRUITED BY SENTOSA RECRUITMENT AGENCY, WITH THE END IN VIEW OF PROVIDING REMEDIAL LEGISLATIONS THAT WILL PROVIDE MORE ADEQUATE PROTECTION TO OUR HEALTH PROFESSIONALS DESIRING TO WORK ABROAD.**

*Whereas*, in 2004 and 2005, Sentosa Recruitment Agency, a single proprietorship under the name of Mr. Francis Luyun, deployed Filipino nurses to work in the United States under an immigrant visa;

*Whereas*, Sentosa represented that it was a direct-hire agency and that its principals/employers, which are various nursing facilities in New York, would directly hire its nurse-recruits;

*Whereas*, part of the commitments made by Sentosa in its recruitment effort includes (1) competitive salary ranging from \$21 to \$35 per hour; (2) medical coverage; (3) relocation and housing allowance; (4) free malpractice insurance; (5) free airfare from Manila to New York; (6) reimbursement of fees for processing certification and licensures; (7) generous night differentials and flexible 8 and 12 hours schedules; and (8) comprehensive training;

*Whereas*, when the nurses-recruits arrived in New York, Sentosa not only renegeed on their commitments but to their surprise, were turned over to Sentosa Care, LLC and subsequently to Prompt Nursing Employment Agency/Sentosa Services in clear violation of their contract;

*Whereas*, because of these violations, the nurses filed discrimination charges against Mr. Luyun and one Mr. Bent Philipson in the United States and an administrative case against Sentosa Recruitment Agency for violations of Philippine recruitment rules and regulations before the Philippine Overseas Employment Administration (POEA);

*Whereas*, on May 24, 2006, the POEA issued a preventive suspension order against Sentosa which was later lifted on June 8, 2006 through the alleged intervention of a local cabinet member and a US Senator;

*Whereas*, in its decision, the POEA argued that since the Filipino nurses are immigrant workers, their rights are amply protected under US laws and that the preventive suspension order will prejudice the other 200 applicants being recruited by Sentosa;

*Whereas*, on September 4, 2006, Senator Pimentel delivered a privilege speech where he deplored the plight of Filipino nurses who were denied the salary rates and

benefits promised them by their recruiter as a result of their employment in the state of New York;

*Whereas*, since that time, another batch of complainants filed similar cases against Sentosa but up to now, the POEA has not yet issued a resolution on the matter, thereby further endangering other Filipino nurses being recruited by the said agency;

*Whereas*, the continued violations of the rights of our workers shows the unfortunate inutility and indifference of our government agencies in protecting the rights of our health professionals abroad;

*Whereas*, to make matters worse for our nurses, ten (10) of the original twenty-six (26) nurses were indicted for conspiracy and endangering the welfare of children and disabled persons on March 22, 2007 in Suffolk County Supreme Court in New York;

*Whereas*, the 10 nurses used to work for Avalon Gardens, a healthcare and rehabilitation center where they were assigned by Prompt/Sentosa Services;

*Whereas*, even the American Nurses Association and the New York State Nurses Association have condemned the said exploitation of our immigrant nurses by unscrupulous US employers and have called for better enforcement of immigration laws in order to prevent further violations;

*Whereas*, the lack of sanction despite repeated and recurring violations by this recruitment agency has emboldened the said agency to continue its violations of our laws to the detriment of our nurses, who, in their desire to have a brighter future for themselves and their families are pursuing the "American Dream"; **Now, Therefore,**

**BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to direct the proper Committees of the Senate, to inquire, in aid of legislation into the continued sad plight of Filipino nurses recruited and enticed by Sentosa Recruitment Agency, with the end in view of providing remedial legislations that will further enhance our recruitment and placement laws so as to prevent similar incidents in the future.

**Adopted,**

  
**PANFILO M. LACSON**  
Senator