

While there may be a comprehensive set of laws protecting the overseas workers, its implementation in reality remains wanting. In particular, the funding requirement needed to effect a meaningful and truly caring-OFW environment is far from ideal. Likewise, the present strategy because of budgetary constraints is towards giving a last ditch effort to save them. Worse, the undocumented workers or those who are hired by unscrupulous individuals or agencies or those who work abroad without acquiring the necessary dossiers as job contracts, labour cards or visas are not covered by existing laws for repatriation assistance.

This legislation is submitted to cover both documented and undocumented OFWs in the assistance program of the government. It also adds a special mechanism to alleviate the plight of undocumented OFWs and overseas Filipinos in distress by creating a Php One (1) Billion Special Fund that can be used for repatriation; medical expenses, hospitalization and purchase of medicine of returning sick overseas workers; migration fees for overstaying Filipinos; legal assistance including litigation expenses, legal fees, payment of translation fees, attendance in court hearings; payment of blood money, when necessary; and basic necessities of OFWs caught in emergencies or are detained.

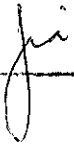
A substantial portion of the budget must be allotted to support the livelihood programs, or skills acquisition or re-acquisition of new knowledge, education and trainings of returning OFWs.

Considering its beneficial implication and the need to alleviate the poor plight of OFWs, this legislation's immediate enactment is requested.


CYNTHIA A. VILLAR

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

13 JUL -1 A9:44

RECORDED BY: 

SENATE

Senate Bill No. 32

Introduced by Senator Cynthia A. Villar

AN ACT
PROVIDING AN ASSISTANCE PROGRAM FOR OVERSEAS FILIPINO
WORKERS IN DISTRESS, BOTH DOCUMENTED AND UNDOCUMENTED,
PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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

1 *SECTION 1.* It is a declared policy of the State that full protection must be
2 accorded to labor, local and overseas. Assistance to overseas Filipino worker must be
3 without distinction, it should cover both documented and undocumented migrant
4 workers.

5
6 Beginning the year this Act is enacted, a Special Assistance Fund for Overseas
7 Filipino Workers in Distress— both Documented and Undocumented Migrant Workers—
8 in the amount of one billion pesos (P 1,000,000,000.00) is hereby created. The fund
9 shall be utilized for the following purposes:

- 10
11 a. Repatriation;
12 b. Medical expenses, hospitalization and purchase of medicine in the form of
13 vouchers for six (6) months from arrival;
14 c. Migration fees for overstaying Filipinos;
15 d. Legal assistance including litigation expenses, legal fees, payment of translation
16 fees, attendance in court hearings;
17 e. Payment of blood money, when necessary; and
18 f. Basic necessities of OFWs caught in emergencies or are detained

19
20 Provided, That thirty percent (30%) of the total fund shall be allotted to support a
21 livelihood training program or re-training of returning overseas Filipino workers in new
22 skills and literacy.

23
24 *SECTION 2.* In the utilization of the Fund, the principles of accountability and
25 transparency must be fully observed.

26
27 *SECTION 3.* The fund needed to initially implement the provisions of this Act
28 must be sourced primarily from the General Appropriations Act. The appropriation
29 allotted to Assistance to Nationals and Legal Assistance Fund in the Department of
30 Foreign Affairs shall serve as core fund for the program.

31
32 Thereafter the yearly Php One (1) Billion appropriation shall be sourced from the
33 earnings of the Bureau of Immigration, Duty-Free Philippines, passport processing fees

1 of the Department of Foreign Affairs, Philippine Charity Sweepstakes Office, and other
2 relevant offices or agencies as may be recommended and identified in the implementing
3 rules and regulations.

4
5 *SECTION 4.* The Department of Labor and Employment in consultation with the
6 Department of Budget and Management and representatives of the private sector and
7 recognized overseas labor organizations shall issue the necessary implementing rules
8 and regulations to implement the provisions of this Act.

9
10 *SECTION 5. Separability Clause.* - If any part or provision of this Act is held
11 unconstitutional or invalid, the other parts or provisions hereof which are not affected
12 thereby shall continue to be in full force and effect.

13
14 *SECTION 6. Repealing Clause.* - All laws, orders, rules or regulations which are
15 inconsistent with or contrary to the provisions of this Act are hereby amended or
16 repealed accordingly.

17
18 *SECTION 7. Effectivity.* -This Act shall take effect fifteen (15) days after its
19 publication in at least two (2) national newspapers of general circulation.

20
21 Approved,