

SENATE

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S.B. No. 2501

Submitted jointly by the Committees on Labor, Employment and Human
Resources Development and Foreign Relations

**“AN ACT
STRENGTHENING THE REGULATORY FUNCTIONS OF THE PHILIPPINE
OVERSEAS EMPLOYMENT ADMINISTRATION (POEA), FURTHER
IMPROVING THE HIGHER STANDARD OF PROTECTION AND
PROMOTION OF THE WELFARE OF MIGRANT WORKERS, THEIR
FAMILIES AND OVERSEAS FILIPINO WORKERS IN DISTRESS,
AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE
KNOWN AS THE “MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT
OF 1995”**

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

1 **SECTION 1.** Section 23, paragraph (b.1) of Republic Act No. 8042,
2 otherwise known as the “Migrant Workers and Overseas Filipinos Act of
3 1995” is hereby amended to read as follows:

4 “(b.1) **Philippine Overseas Employment Administration** – Subject to
5 **THE PROVISIONS OF THIS ACT** [Deregulation and Phase-out as provided
6 under Sections 29 and 30, herein], the Administration shall **CONTINUE TO**
7 **EXERCISE ITS POWERS AND FUNCTIONS AS FOLLOWS:**

8 1. regulate private sector participation in the recruitment and overseas
9 placement of workers by setting up a licensing and registration system; [It
10 shall also]

11 2. formulate and implement, in coordination with appropriate entities
12 concerned, when necessary, a system for promoting and monitoring the
13 overseas employment of Filipino workers taking into consideration their
14 welfare and the domestic [manpower] **EMPLOYMENT** requirements;

15 **3. PROTECT THE RIGHTS OF FILIPINO WORKERS FOR**
16 **OVERSEAS EMPLOYMENT TO FAIR AND EQUITABLE RECRUITMENT**
17 **AND EMPLOYMENT PRACTICES AND ENSURE THEIR WELFARE;**

18 **4. EXERCISE ORIGINAL AND EXCLUSIVE JURISDICTION TO**
19 **HEAR AND DECIDE:**

20 1) **ALL PRE-EMPLOYMENT CASES WHICH ARE**
21 **ADMINISTRATIVE IN CHARACTER INVOLVING OR**
22 **ARISING OUT OF VIOLATION OF RECRUITMENT**
23 **LAWS, RULES AND REGULATIONS (INCLUDING**
24 **MONEY CLAIMS ARISING THEREFROM) OR**

1 **VIOLATION OF CONDITIONS FOR ISSUANCES OF**
2 **LICENSE OR AUTHORITY TO RECRUIT WORKERS;**
3 **AND**

4 **2) DISCIPLINARY CASES INVOLVING EMPLOYERS**
5 **FOREIGN PRINCIPALS, BROKERS OR**
6 **RECRUITMENT AGENCIES ARISING OUT OF**
7 **VIOLATION OF RULES AND REGULATIONS**
8 **GOVERNING OVERSEAS EMPLOYMENT.**

9 **5. SECURE THE BEST TERMS AND CONDITIONS OF**
10 **EMPLOYMENT OF FILIPINO WORKERS IN COMPLIANCE WITH**
11 **HUMAN AND LABOR RIGHTS;**

12 **6. PROMOTE AND PROTECT THE WELL-BEING OF FILIPINO**
13 **WORKERS OVERSEAS;**

14 **7. INFORM WORKERS NOT ONLY OF THEIR RIGHTS AS**
15 **WORKERS BUT ALSO THEIR RIGHTS AS HUMAN BEINGS, SHOW THE**
16 **WORKERS HOW TO ASSERT THEIR RIGHTS AND PROVIDE THE**
17 **AVAILABLE REDRESS MECHANISM IN VIOLATION OF THEIR RIGHTS.**

18 **SEC. 2.** Section 29 of the same law is hereby repealed.

19 “[SECTION 29. Comprehensive Deregulation Plan on Recruitment
20 Activities. – Pursuant to a progressive policy of deregulation whereby the
21 migration of workers becomes strictly a matter between the worker and his
22 foreign employer, the DOLE, within one (1) year from the effectivity of this
23 Act, is hereby mandated to formulate a five-year comprehensive deregulation
24 plan on recruitment activities taking into account labor market trends,
25 economic conditions of the country and emerging circumstances which may
26 affect the welfare of migrant workers.]”

27 **SEC. 3.** Section 30 of the same law is also hereby repealed.

28 [SECTION 30. Gradual Phase-out of Regulatory Functions. – Within a
29 period of five (5) years from the effectivity of this Act, the DOLE shall phase-
30 out the regulatory functions of the POEA pursuant to the objectives of
31 deregulation.]”

32 **SEC. 4.** All laws, orders, issuances, rules or regulations or part thereof
33 inconsistent with the provisions of this Act are hereby repealed, amended or
34 modified accordingly.

35 **SEC. 5.** This Act shall take effect fifteen (15) days after its publication in
36 the *Official Gazette* or in at least two (2) newspapers of general circulation,
37 whichever comes earlier.

38 ***Approved.***