

REPUBLIC OF THE PHILIPPINES )  
9TH CONGRESS OF THE PHILIPPINES)  
THIRD REGULAR SESSION )  
SPECIAL SESSION )

'95 MAY 17 P4 30pm

S E N A T E

RECEIVED BY: Coley

S.B. NO. 2075

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Introduced by Senators Maceda and Coseteng  
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EXPLANATORY NOTE

The suspenseful days before the execution of the death sentence by the Singaporean Supreme Court on Flor Contemplacion had certainly focused the attention of the entire citizenry to the sad plight of our Overseas Contract Workers (OCW).

Flor Contemplacion is a typical Filipina who failed to obtain a good paying job in the country. In her desire to give a better future to her children, she decided to work in Singapore as domestic helper.

She was unfortunately criminally charged with double murder for the death of Delia Maga, another Filipina OCW and a Singaporean child being baby-sitted by Delia Maga.

It is the general belief of majority of our citizens that Flor Contemplacion was innocent of the charges and the real killer of Delia Maga was a male person who probably was the employer of the latter who is believed to have gone furiously mad upon discovering that the ward accidentally drowned in the basin thru the negligence of Maga.

The story of Flor Contemplacion and Delia Maga is only but one of the numerous incidents of injustices being suffered or met by our OCWs.

It is our sincere belief that our OCWs deserve more than being called by the Ramos Administration as the "Modern Heroes" or being accorded similar lip services. For their sacrifices, our nation must reciprocate with kindness and material support.

Let us remember that to create a new job or employment that will pay a minimum wage, the investment requirement is P250,000 according to the study of a certain government agency.

Our OCWs do not compete anymore with others awaiting for new job openings in the country. On their own, they seek employment overseas thereby easing the obligation of this government to create jobs for them and in the process, they send back their dollar earnings which run to hundreds of millions of U.S. dollars thereby increasing our international dollar reserves.

As recognition for the sacrifices and heroism of our OCWs in this bill, therefore, we propose to freeze at their present level the existing rates of fees being charged by the POEA and the OWWA from our OCWs for a period of five (5) years from the effectivity

thereof.

In the enclosed bill, we also propose to lighten the burden of our OCWs by reducing to 50% the amount of POEA and OWWA fees they will personally pay, and transferring to the national government the obligation to pay 25% thereof and to the prospective employer the other 25% of the fees.

As a permanent relief for the OCWs, we also propose in the bill the total phase-out within five (5) years of all fees for repatriation bond, OCW medical coverage, processing fee, insurance and OWWA contribution.

The bill also proposes to exempt OCWs from the payment of any fee for the renewal of their passports.

And whatever fees now being charged on OCWs by any municipality, city, district or province is proposed to be reduced by 50%.

Upon our inquiry, Philippine Overseas Employment Administration (POEA) Administrator Felicisimo O. Joson informed us on 11 May 1995 that at present the POEA fees being charged upon our Overseas Contract Workers (OCW) vary, depending on whether they are Newly Hired Landbased Workers, Rehires (Returning Workers or Balik-Manggagawa) or Seafarers. The fees are also further classified in the case of Newly Hired Landbased Workers depending on whether the worker is Agency Hired, Processed at POEA's Government Placement Branch or Workers Hired by Employers of POEA's Government Placement Branch.

In the case of Rehires, the fees depend on whether the worker is Regular Rehire (Documented) or Undocumented Balik-Manggagawa.

In the case of Seafarers, the fees are classified on whether New Hires or Rehires.

However, as we examine the present Schedule of POEA Fees, we find that two kinds of fees are collected from the OCWs, namely Repatriation Bond and OCW Medicare Coverage. The fees for Repatriation Bond still vary depending if the place of work is Asia or Middle East and others. For workers going to Asia, the Repatriation Bond for one year contract is P209.00 and if 2 year contract the fee is P398.34. The OCW Medicare Coverage is pegged to P900.00.

All the fees abovementioned are uniform for all categories of workers under the 2 general classifications of Newly Hired Landbased Workers and Rehires (Returning Workers or Balik-Manggagawa). The only variation is in the case of Regular Rehires (Documented) wherein an additional fee of P204.00 for insurance is being charged.

For Seafarers, there are only 2 kinds of fees in uniform amount being collected from New Hires and Rehires, namely, the POEA Processing fee of P200.00 and OWWA contribution of P700.00.

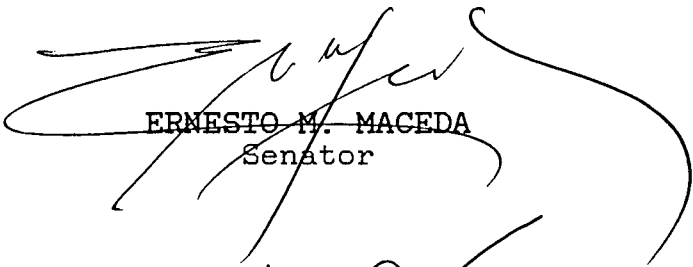
There are other fees being charged by OWWA. But how about the under-the-table fees that the OCWs pay?

We sincerely believe that whatever benefits we are proposing in this bill to give to our OCWs may not be enough for our government to show its appreciation for the tremendous sacrifices

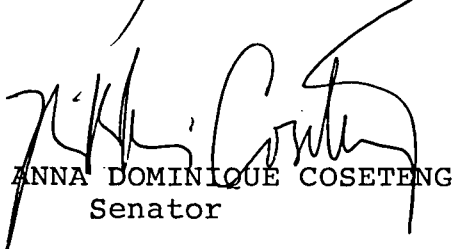
they are making day to day to help our economy survive.

Certainly, our OCWs deserve more than what we are offering to them in this bill, but we sincerely hope that they will understand us, as we promise to them that we shall from time to time review our position on the matter with the end in view of granting more privileges and benefits to our OCWs in the future.

On the foregoing considerations, we appeal to our colleagues in the Senate to support the early approval of this bill in the forthcoming Special Session.



ERNESTO M. MACEDA  
Senator



ANNA DOMINIQUE COSETENG  
Senator

LEL:hff

REPUBLIC OF THE PHILIPPINES )  
9TH CONGRESS OF THE PHILIPPINES )  
THIRD REGULAR SESSION )  
SPECIAL SESSION )

'95 MAY 17 P4:30 pm

S E N A T E

RECEIVED BY: Calof

S.B. NO. 2075

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Introduced by Senator Maceda  
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AN ACT  
TO FREEZE, REDUCE AND PHASE OUT CERTAIN FEES AND CHARGES BEING COLLECTED BY THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) AND THE OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA) FROM OVERSEAS CONTRACT WORKERS (OCW)

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

SECTION 1. All fees, contributions, premiums or exactions of any kind being collected by the POEA and OWWA are hereby frozen at present levels: Provided, That five (5) years after the approval of this Act, no such fees, contributions, premiums or exactions shall be authorized.

SEC. 2. Every contract worker for overseas employment shall be required to pay only fifty (50%) percent of the existing rate of fees and other charges being enforced by the POEA and the OWWA: Provided, That the balance of twenty-five (25%) percent thereof shall be shouldered by the national government from the revenue collections of the LOTTO while the remaining twenty-five (25%) percent shall be charged to their prospective employers.

SEC. 3. All overseas contract workers applying as re-hiree shall be exempted from the payment of any fees for the renewal of their passports.

SEC. 4. Any fee of whatever nature or kind now being paid for for clearances by any OCW in any municipality, city or province or local office is hereby reduced by fifty (50%) percent.

SEC. 5. The Secretary of Labor and Employment shall promulgate such rules and regulations as may be necessary to implement the provisions of this Act within ninety (90) days from the effectivity of this Act.

SEC. 6. All acts, ordinances, resolutions, rules and regulations which may be inconsistent with the provisions of this Act shall be deemed repealed, amended or modified accordingly.

SEC. 7. This Act shall take effect after fifteen (15) days of its publication in two (2) newspapers of general circulation.

Approved,

LEL:hff

NINTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )S.S  
Third Regular Session )

S E N A T E

S. No. 2076

SENATE OF THE PHILIPPINES  
MAY 20 1995  
TIME 8:05 PM

Introduced by Senator Heherson T. Alvarez

EXPLANATORY NOTE

Recent events have spurred a wide discussion in the Philippines concerning overseas employment. Labor migration from the Philippines has reached unprecedented dimensions. In 1994, 719,602 overseas contract workers have been deployed. The countless episodes of abuse and violation of migrants rights have indicated that it is time for the country to rethink its approach to overseas labor. Economic benefits appear in fact to require a price which is too high for a nation to bear.

Labor migration should not be used by the government as an excuse for delaying or avoiding sound measures for a participatory development of the nation. For this reason the government should have a protection policy of migrant workers, but not a policy to further promote overseas employment giving priority instead to employment creation in the country. Labor migration should not occur in conditions which are below acceptable standards. It should not be a choice without alternatives. It should not force workers to suffer the violation of their rights and dignity. It should not permit the enrichment of unscrupulous recruiters on the needs of workers. It should be regulated through international cooperation.

In view of the foregoing, the immediate passage of this bill is earnestly recommended.

  
HEHERSON T. ALVAREZ

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