



Republic of the Philippines  
 Department of Public Works and Highways  
 Region IX  
**OFFICE OF THE REGIONAL DIRECTOR**  
 Zamboanga City

## INVITATION TO BID

The Government of the Republic of the Philippines, thru the Department of Public Works and Highways, Region IX, Zamboanga City will accept bids to furnish/supply the equipment described herein below at 10:00 a.m. April 16, 1997 at the Office of the Assistant Regional Director for administration at Tumaga, Zamboanga City.

### 1. 1 - unit Loader Backhoe

#### Specifications:

The required loader backhoe must be brand new, 4 wheel drive, with an operating weight of not less than 6,000 kg. It shall be powered by a diesel engine with a minimum 50 kw horsepower rating at its rated speed. The unit shall have the following general description:

Minimum bucket loader struck capacity - 0.88 cu. yd.  
 (4 in one)

Dumping Clearance at 45 degrees - 2.69 m. (minimum)  
 Lifting capacity at full height - 2,800 kg. (minimum)  
 Loader hydraulic pump capacity - .104 l/min.  
 @2,200 rpm

Minimum backhoe bucket capacity - 0.18 cu.m.  
 Digging depth (extended hoe) - 5.54 m.  
 Loading height (extended) - 4.0 m. (minimum)  
 Loading reach (extended) - 3.5 m. (minimum)  
 Backhoe hydraulic pump capacity - 140 l/min.  
 @2,200 rpm

Front wheel tread - 1.70 m.  
 Rear wheel tread - 2.15 m.

### 2. 1 - unit 8 ton Dump Truck

#### Specifications:

The required dump truck must be brand new, left hand drive, 4 x 2, with a minimum CVW rating of 8,000 kg. It shall be powered by a diesel engine of not less than 88 kw at its rated speed. Maximum torque - 29.0 kg.-m; payload 3,500 kg. (minimum), power steering, 5 speed forward and 1 reverse, dump body capacity - 2.5 cu. m. (minimum). The unit shall be complete with all standard attachments and accessories.

The equipments must be delivered at the Office of the Provincial Engineer, Isabela, Basilan.

Pre-qualification of prospective supplier not later than April 16, 1997.

Bid proposals and other relevant information will be available at the SPBAC Secretariat, Supply Section, Administrative Division, Region IX, DPWH Tumaga, Zamboanga City.

(Sgd.) FRANCISCA A. STA. TERESA

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*PDI Rules & Regulation RA - 8042*

## Overseas Workers Welfare Administration



### MEMORANDUM OF INSTRUCTIONS NO. 003 SERIES OF 1997

## GENERAL POLICIES, GUIDELINES AND PROCEDURES IN THE IMPLEMENTATION OF THE REPATRIATION ASSISTANCE PROGRAM FOR MIGRANT WORKERS

Pursuant to Sections 15 and 16 of the Migrant Workers and Overseas Filipinos Act of 1995 and in consonance with its Implementing Rules and Regulation issued by the Secretary of Labor and Employment; and to ensure the immediate repatriation of Overseas Filipino Workers (OFW) in meritorious cases as hereto specified, the Repatriation Assistance Program as mandated by law, shall be implemented and administered according to the policy guidelines and procedures hereto provided.

### I. PROGRAM OBJECTIVE

The Program ensures the immediate repatriation of Migrant Workers without prior determination of its ultimate responsibility so as to prevent them from being stranded abroad and thus avoid experiencing its negative consequences.

Specifically it aims to:

1. Facilitate the compliance of the Local Agency/Principal in their primary responsibility of immediately repatriating the OFW or the remains of the deceased OFW including the transport of their personal belongings up to the allowable free baggage allowance of the Carrier.
2. Provide referral assistance to migrant workers in their claims for the refund of the repatriation cost they incurred from the Local Agency/Employer in case the Overseas Filipino Worker (OFW) shouldered their own repatriation.
3. Undertake the repatriation of workers in cases of war, armed conflicts, hostilities, epidemic, disasters or calamities, natural and man-made and other similar events without prejudice to reimbursement by the principal or recruitment agency and include those cases where principal or recruitment agency cannot be identified.

### II. TARGET BENEFICIARIES

All Filipino Migrant Workers who are in need of immediate/emergency repatriation shall be the beneficiaries of the program. All validated requests for repatriation of workers for whatever cause without prior determination of ultimate responsibility shall be covered under the program.

### III. IMPLEMENTING UNITS

The Field Services Office (FSO) through the Workers Assistance Division (WAD) and Regional OWWA Units (ROUs) and the Overseas Operations Coordinating Center (OCCC) through the Philippine Overseas Labor Officers (POLOs) shall be the lead implementing units in the actual repatriation activities of this Program. The Workers Assistance Division (WAD) shall be responsible for all cases within Metro Manila and shall coordinate with the other ROUs and Overseas Posts relative to the implementation of the same.

The Internal Management Services Office (IMSO) shall be responsible in the overall fund management of the Emergency Repatriation Fund (ERF) including maintenance of the subsidiary book of accounts.

The Plans and Programs Office (PPO) shall be responsible in the monitoring and timely evaluation of the program.

### IV. CREATION AND ESTABLISHMENT OF AN

### 7. Assistance to be Extended to OFW Claiming for Refund From the Recruitment Agency

To facilitate the timely release of OFW claims from the Agency of the repatriation cost they advanced out of their own pockets, the WAD/ROU shall provide the client with the checklist of documentary requirements and assist them in the preparation of the same. A referral letter to the NLRC shall also be provided them.

### VI. ACCOMPLISHMENT REPORTS

1. The FSO shall maintain a database of OFWs assisted on the program which will include tickets issued and utilized and regularly prepares reports for all concerned.
2. The IMSO shall prepare monthly reports on collection for advances and other financial reports pertaining to the program implementation.
3. The PPO shall prepare the quarterly consolidated Program reports for the Administrator and the OWWA Board of Trustees.

### VII. FUND MANAGEMENT

1. The IMSO shall manage the Fund including the maintenance of the subsidiary book of accounts.
2. Quarterly financial reports shall be made available for monitoring purposes and budget allocation from the GAA.
3. The IMSO shall ensure proper representation with appropriate authorities for fund reimbursement from the GAA on an annual basis.
4. To ensure the most expeditious and cost efficient processing of PTA/Tickets, IMSO shall conduct semi-annual selection of Travel Agencies through the standard bidding process.

### VIII. MONITORING AND EVALUATION

1. The PPO shall be responsible in the monitoring and timely evaluation of the program.
2. The PPO shall consolidate all reports from the implementing units into Quarterly Program Report for the Administrator and the OWWA Board of Trustees.
3. The program shall be evaluated one year upon implementation and as necessary thereafter.

### IX. PROCESS FLOW

#### A. Workers Repatriation

1. The request for repatriation by the OFW, his/her relative or representative, NGO or other government offices may be filed with the ROUs, WAD or the Foreign Posts.
2. To expedite the process of repatriation, the WAD may take up the case coming from other ROUs for coordination with the foreign post. However, the foreign post and the WAD shall regularly update the concerned ROU for proper advice to the family of the OFW being repatriated.
3. The Welfare Officer and/or any responsible officer of the Philippine Mission at the foreign post...

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The Internal Management Services Office (IMSO) shall be responsible in the overall fund management of the Emergency Repatriation Fund (ERF) including maintenance of the subsidiary book of accounts.

The Plans and Programs Office (PPO) shall be responsible in the monitoring and timely evaluation of the program.

## IV. CREATION AND ESTABLISHMENT OF AN EMERGENCY REPATRIATION FUND

An Emergency Repatriation Fund (ERF) as mandated by Republic Act 8042 shall be created and established under the administration, control and supervision of OWWA.

An initial amount of One Hundred Million Pesos (P100,000,000.00) which shall serve as the Fund, shall be advanced from the existing fund of OWWA as provided for by OWWA Board Resolution No. 96-010 dated 19 August 1996. Thereafter, such fund shall be provided for in the General Appropriations Act from year to year, provided that the amount appropriated shall in no case be less than that advanced by OWWA inclusive of outstanding balances.

The creation of the fund shall mean the maintenance of a subsidiary account in order to maintain its interest income thru investment.

## V. GENERAL GUIDELINES

### 1. Primary Responsibility for Repatriation:

The repatriation of the worker, or his/her remains and the transport of their personal effects shall be the primary responsibility of the principal or agency which recruited or deployed him/her abroad. All costs attendant thereto shall be borne by the principal or the agency concerned.

### 2. Determination of Liability of Repatriation Costs:

The National Labor Relations Commission (NLRC) shall have the exclusive jurisdiction in the ultimate determination of liability of repatriation by the Agency/Employer or the OFW.

### 3. Repatriation in Emergency Situations:

The OWWA, in coordination with the DFA, and in appropriate situations with international agencies, shall undertake the repatriation of workers in cases of war, hostilities, armed conflicts, epidemics, disasters or calamities, natural or man-made and other similar events without prejudice to reimbursement by the responsible principal or agency within sixty (60) days notice.

The following cases shall also constitute as an emergency situation and shall serve as criteria for the POLOs to undertake immediate repatriation on any possible means of the OFW who is deemed to be in need and without means:

- There is danger to life and limb of the OFW;
- OFW is stranded with no employer to work with;
- OFW is mentally or physically ill
- OFW is underage as provided under Section 16 of RA 8042; and
- Other situations which demand immediate repatriation of OFW

Where the principal or agency of the worker cannot be identified, cannot be located or had ceased operations, the OWWA personnel at jobsite, in coordination with DFA, shall cause the repatriation subject to item V-3.

If the employment agency fails to provide the ticket within 48 hours from receipt of notice, the POEA pursuant to the Implementing Rules and Regulation of RA 8042 shall suspend the license of the agency or impose such sanctions as may deem necessary. Upon notice of repatriation from the foreign post, OWWA shall advance the cost of repatriation with recourse to the agency or principal. The administrative sanction shall not be lifted until the agency reimburses the OWWA of the cost of repatriation with legal interest.

The agency/principal shall reimburse the claim on repatriation by OWWA within fifteen (15) working days upon receipt of Reimbursement Demand Letter (RDL) from OWWA. If the concerned agency failed to do so then it shall be the ground for OWWA to take legal action in addition to the suspension of license by POEA.

### 4. Cost of Repatriation Advances and Refund

Repatriation cost shall refer to all attendant cost of repatriation which shall include the following:

- For Live OFWs**  
Airfare, Exit Visa, Penalties, Travel expenses of Escorts (for medical repatriation) and other reasonable expenses supported by receipts
- For Deceased OFWs**  
Airway Bill, Mortuarial Charges, Customs Duties, Quarantine Obligations, Packaging Cost, Clearance Cost and other reasonable expenses supported by receipts

### 5. Chargeability of Cost

All costs attendant to repatriation of workers borne/advanced by the OWWA shall be chargeable to the Emergency Repatriation Fund (ERF) subject to reimbursement from appropriate parties.

All repatriation expenses incurred by OWWA after the effectivity of the Act on August 16, 1995 shall also be charged to the ERF.

### 6. No Refund Policy from the Emergency Repatriation Fund by the OFWs

All OFWs needing emergency repatriation assistance shall immediately be repatriated by OWWA. All other cases of repatriation which did not pass the validation process by the POLOs shall not be subject to refund from the ERF.

- The IMSO shall ensure proper representation with appropriate authorities for fund reimbursement from the GAA on an annual basis.

- To ensure the most expeditious and most efficient processing of PTA/Tickets, IMSO shall conduct annual selection of Travel Agencies through the standard bidding process.

## VIII. MONITORING AND EVALUATION

- The PPO shall be responsible in the monitoring and timely evaluation of the program.
- The PPO shall consolidate all reports from the implementing units into Quarterly Program Report for the Administrator and the OWWA Board of Trustees.
- The program shall be evaluated one year upon implementation and as necessary thereafter.

## IX. PROCESS FLOW

### A. Workers Repatriation

- The request for repatriation by the OFW, his/her relative or representative, NGO or other government offices may be filed with the ROUs, WAD or the Foreign Posts.
- To expedite the process of repatriation, the WAD may take up the case coming from other ROUs for coordination with the foreign post. However, the foreign post and the WAD shall regularly update the concerned ROU for proper advice to the family of the OFW being repatriated.
- The Welfare Officer and/or any responsible officer of the Philippine Mission at the foreign post verifies the need for repatriation of OFW and upon confirmation facilitates/makes representation with the OFW's Foreign Employer for his/her repatriation and if the employer fails to provide for his/her repatriation, shall simultaneously notify OWWA and the POEA of such need.
- The POEA shall notify the agency concerned of the need for repatriation within 24 hours. The agency within 48 hours, shall provide the Plane Ticket or the Prepaid Ticket Advice (PTA) thru the Filipino Workers Resource Center (FWRC) or the appropriate Philippine Embassy; and notify POEA of such compliance. POEA shall notify OWWA of the action of the agency.
- If the agency fails to provide the ticket or PTA within the prescribed period from receipt of such notice, the POEA shall suspend the license of the agency pursuant to Implementing Rules and Regulation of RA 8042 or impose sanctions as it deems necessary and within 24 hours advises OWWA through the WAD to advance the cost of and effect repatriation of the worker.
- In case of failure of the concerned agency to issue the PTA within 48 hours, WAD shall secure approval of immediate repatriation from the FSO Director.
- Upon approval of immediate repatriation by the FSO Director, the corresponding Ticket Purchase Order (TPO) and request for other costs shall be forwarded to the Administrator for approval.
- Upon approval of TPO and other costs, FSO shall facilitate processing of the dispatch of PTA and the release of other costs.
- WAD informs Foreign Post of the dispatch of PTA, and shall closely monitor developments of the repatriation from the Foreign Post.
- The POLOs at the Foreign Post shall have accountability over Tickets issued for repatriation and must closely monitor their utilization. Details of such shall be reported monthly to the FSO for reconciliation using the form to be prepared by PPO.
- Upon notice from the Foreign Post of the details of the repatriation, WAD shall coordinate with the concerned ROU for airport assistance and ensure the retrieval of used ticket and forward such to IMSO for payment of PTA and collection of advances purposes.
- WAD updates and closes Case Folder of OFW for filing and future reference.

### B. Payment of Prepaid Ticket Advice

- On the basis of the following documents and the Statement of Account from the Travel Agency, WAD prepares disbursement voucher and forwards to IMSO for the payment of the dispatched PTAs within fifteen days.
  - Any of the following: used Airline Ticket/Jacket/Standard Traffic Document for the return flight to the Philippines or Certification from the Legal Department of the Carrier; and
  - Certification from the responsible officer of the Philippine Mission preferably by the OWWA Welfare Officer that the OFW was indeed needing repatriation.
- The FSO shall maintain a data base of PTAs indicating all pertinent information such as the corresponding name, flight details and changes from the original data.

### C. Collection of Advances by OWWA from the Recruitment Agency

- On the basis of the Statement of Account from the Travel Agency and the Certification from the responsible officer of the Philippine Mission preferably by the OWWA Welfare Officer that the OFW was indeed needing repatriation, the IMSO shall effect the collection from the concerned recruitment agency thru a Reimbursement Demand Letter (RDL) signed by the Administrator or the IMSO Director.
- The IMSO shall maintain a database on collection including the aging of accounts.
- The IMSO shall endorse to the Legal Department all collection cases beyond the prescribed period of fifteen (15) working days from receipt of the RDL by the recruitment agency.

### D. Referral of Claims for Refund by the OFWs From the Manning/Recruitment Agency

- OFWs who shouldered the cost of their repatriation may seek assistance from OWWA through the ROUs/WAD for refund of their expenses by accomplishing the application form and submit (2) copies of documentary requirements to be prescribed by the NLRC.
- The WAD/ROUs shall prepare an official referral letter signed by the WAD Chief or by the ROU Supervisor as the case maybe, to the NLRC Head Office Regional Office.
- The WAD/ROUs shall monitor all OFW Claims it endorses to the NLRC.

## X. EFFECTIVITY

- This MOI shall take effect immediately.

(Sgd.) WILHELM D. SORIANO  
Administrator

13 February 1997

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LEGISLATIVE LIBRARY DIV.