

REMEDIAL MEASURES FOR STRONGER PROTECTION OF OFWS

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WHEREAS, Section 3, Article XIII of the 1987 Constitution mandates full protection of labor, local and overseas, and promote full employment and equality of employment opportunities for all;

WHEREAS, Section 2 (c), Republic Act No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995, declares that toward this end, the State shall provide adequate and timely social, economic, and legal services to Filipino migrant workers;

WHEREAS, Section 2 (e), Republic Act No. 8042, establishes the imperative to have an effective mechanism to ensure that the rights and interest of overseas Filipino workers are adequately protected and safeguarded;

WHEREAS, OFWs should have available on-site remedies to file complaints for violations of POEA rules and regulations against their principal, employer, and/or Philippine recruitment agency;

WHEREAS, complainants or witnesses in docketed POEA cases who have been deployed for work overseas should have a mechanism to provide testimony in the said cases;

NOW, THEREFORE, the POEA Governing Board, in a meeting duly convened, RESOLVES AS IT IS HEREBY RESOLVED, to adopt the following remedial measures for stronger protection of OFWs:

1. Complaints by on-site OFWs pertaining to violations of POEA rules and regulations shall be received by the concerned Philippine Overseas Labor Offices (POLOs). The said POLOs shall assist on-site complainants in the preparation of affidavits and reception of evidence, which shall be endorsed to the POEA for appropriate action.
2. In docketed POEA cases involving complainants or witnesses deployed for work overseas, the POEA Adjudication Office should have all reasonable means to ascertain the facts and information on such cases. To this end, the Adjudication Office shall be allowed to send written interrogatories or questions to the complainant-OFW, through the concerned POLO.

The Secretary of Labor and Employment shall provide the guidelines to implement this Resolution.

Adopted: 09 Aug. 2007

(SGD.) ARTURO D. BRION

Secretary of Labor and Employment and Chairperson of the Governing Board

(SGD.) GREGORIO S. OCA

Member

(SGD.) ISIDRO Q. ALIGADA

Member

(SGD.) GUILLERMINA T. GABOR

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(SGD.) LEONARDO B. DE OCAMPO

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