# GUIDELINES GOVERNING THE TURNOVER OF THE OWWA FILIPINO WORKERS’ DEVELOPMENT CENTERS TO THE DIRECT SUPERVISION OF THE LABOR ATTACHÉ

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Pursuant to sections 19 and 23 of the Migrant Workers' and Overseas Filipinos Act of 1995 (R.A. 8042) and chapters XIII and XV of the Omnibus Rules and Regulations Implementing the Migrant Workers' and Overseas Filipinos Act of 1995, the following guidelines are hereby promulgated to govern the turnover of the OWWA Filipino Workers' Development Centers (FWDCs) to the direct supervision of the Labor Attaché.

Rationale

Whereas, the Migrant Workers and Overseas Filipinos Act of 1995 also known as Migrant Workers Act provides that "within the premises and under the administrative jurisdiction of the Philippine Embassy in countries where there are 20,000 or more Filipinos," a Filipino Workers' Resource Center shall be established to provide a variety of services and assistance on welfare, information, human resource development, registration of undocumented workers, gender sensitive programs, and reintegration services (section 19).

Whereas, the Migrant Workers Act also provides that while the establishment and operation of the Center is the joint undertaking of the various government agencies in the Post, it shall have for its staff foreign service personnel, service attaches of other offices and where "the Labor Attaché shall coordinate the operation of the Center . . ." He or she shall keep the Chief of Mission informed and updated on all matters concerning the operations of the Center.

In this context, the present OWWA Centers are to be renamed as the Filipino Workers' Resource Centers, the operations of which will be managed or supervised by the Labor Attaché.

General Policy Statement

All provisions embodied in the Omnibus Rules and Regulations Implementing the Migrant Workers' and Overseas Filipinos Act of 1995 shall be followed in the Center operations. The following implementing guidelines specific to the transfer of administrative and operational control/authority from the OWWA to the Office of the Secretary/Labor Attaché shall be adhered to.

Implementing guidelines

1. Location. Where feasible, the Center shall be established within the premises of the Philippine Embassy or Consulate or Mission. When located outside Philippine Embassy or Consulate premises, the Department of Labor and Employment (DOLE) through the Labor Attaché shall seek the assistance of the Chief of Mission to secure proper or appropriate accreditation or recognition from the host government in accordance with applicable laws and practice.

2. Change in name. The existing Filipino Workers' Development Center shall be renamed Filipino Workers' Resource Center. The Labor Attaché shall effect the change of the Center's signboard, where applicable, following the prescribed design, color, and size prescribed by the Home office.



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3. Turnover of Center. The Labor Attaché in the post shall initiate and effect the smooth and orderly turnover of the FWDC from the OWWA officer in said post. The turnover shall include but not limited to the technical and financial aspects as well as the physical and equipment inventories.

The Welfare Officer shall turnover to the Labor Attaché the following:

3.1 a status report on the programs and projects of the Center;

3.2 an inventory of furniture, equipment, and fixtures as well as serviceable vehicle/s of said Center;

3.3 an updated list of wards and residents and the circumstances by which they are housed in said Center;

3.4 the house rules and regulations being followed in the Center. The House Rules may be modified to respond to existing problems and concerns.

3.5 a copy of the budget appropriation for the programs and projects in the Center including the MOOE. He/she shall also brief and furnish the Labor Attaché with the previous year's financial report including accounts payable as of Dec. 31, 1996 and as of the turnover date. The Labor Attaché shall not be made accountable for any unsettled account of the Center.

4. Information dissemination. The Labor Attaché in coordination with the Chief of Mission shall disseminate to its clients and the Filipino worker-community in general, information on the transfer of management of the FWDC to be known as the FWRC.

5. Office of the Labor Attaché. Where feasible, the Labor Attaché shall hold office in the Center and conduct all business and welfare-related activities within its premises for purposes of economy and effective and efficient coordination. If not possible, the Labor Attaché shall hold office in the Philippine Embassy or Consulate and shall assign a responsible officer to oversee the daily Center operations.

6. Center personnel and staff. Each Center shall have the following personnel complement with their respective functions described in the Manual of Operations for POLOs and Migrant Workers' Act:

6.1 a Labor Attaché (DOLE)
6.2 a Welfare Office (OWWA)
6.3 a Center Coordinator
6.4 an interpreter
6.5 a Foreign Service Personnel (DFA)
6.6 a lawyer and social worker where necessary.

7. Additional personnel. When the volume of work demands it, the Labor Attaché with the concurrence of the Ambassador, Consul General or Chief of Mission, may determine and recommend additional manpower for the Center whether on a regular or local hire basis. The request should be properly justified complete with volume of daily transactions and income of the Post as well as the job description of the proposed additional personnel.

The Home Office through ILAS shall recommend to the Secretary the approval of such request on the basis of fund availability and justification.

8. Funding. As provided for in section 49 of RA 8042, "the establishment, yearly maintenance and operating costs of services and programs not specially funded under the Act, shall be sourced from the General Appropriations Act (GAA) and shall be included in the annual budget of DOLE." This covers rental, utilities, communications, provisions for custody, and such other items necessary for the smooth operations of the Center. However, the salaries and allowances of overseas personnel shall be sourced from their respective agency's budget including budget for specific Agency projects.


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8.1 Bookkeeping and liquidation. The Fund for Center operations is considered separate from the regular budgetary allocation of the Overseas Labor Office. A separate account and cash book shall be maintained by the Labor Attaché; liquidation of said monies should also be separate from regular overseas labor office operations.

8.2 Assignment of a disbursing officer. The Labor Attaché may designate a responsible officer to disburse funds for Center operations subject to the usual accounting and auditing rules.

9. Transparency in office transactions. The Labor Attaché shall make sure that flow charts of transactions, organizational charts, schedule of services shall be posted in prominent areas of the Center for purposes of transparency and understanding of the worker-clients.

10. Recording of Center Transactions. The Labor Attaché shall establish a system of recording transactions of the Center including the maintenance of a logbook for overseas workers availing of FWDC services and individual worker case files.

11. Reporting. The Labor Attaché shall make sure that monthly reports including statistical indicators on official FWDC transactions are submitted to the Home Office. These reports will serve as basis for policy.

12. Recall of Center Personnel including Assistant Labor Attaché. With the concurrence of the Chief of Mission, the Labor Attaché may request for the recall and replacement of the Assistant Labor Attaché, Welfare Officer, and Center Coordinator upon submission to the Secretary of reasons and justifications for such request.

13. One country team, one DOLE team overseas. As provided for in the Migrant Workers' Act, all overseas labor officers shall act as one team with the rest of the Philippine Foreign Service personnel. In the same manner, all overseas labor officers are mandated to act as one DOLE team in the Post led by the designated Labor Attaché. In this connection, all signages, stationery and other paraphernalia shall reflect only "Office of the Labor Attaché," the name of the officer, along with the usual imprint related to the Embassy or Consulate.

14. This Order takes effect one week from receipt.

For strict compliance.

Adopted: 18 April 1997

(SGD.) LEONARDO A. QUISUMBING
Secretary

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* Also Filed by POEA on may 28, 1997


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