

MEMORANDUM OF UNDERSTANDING BETWEEN THE EMBASSY OF THE REPUBLIC OF THE PHILIPPINES, AND THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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The Embassy of the Republic of the Philippines and the U.S. Equal Employment Opportunity Commission (EEOC), herein referred to collectively as "the Participants,"

RECOGNIZING their desire to further improve compliance with, and awareness of, workplace laws and regulations applicable to all Philippine nationals in the United States of America; and

RECOGNIZING the need for maintaining cooperative relationships for purposes such as training and education, outreach and communication, and for promoting a dialogue on compliance with laws and regulations enforced by the EEOC;

Have reached the following understandings:

Overall Objective

The Participants intend to maintain a collaborative relationship to provide Philippine nationals in the United States with information, guidance, and access to education and training resources to help them understand and exercise their workplace rights, particularly with regard to reducing violations against them under the laws and regulations that are administered and enforced by the EEOC, including Title VII of the Civil Rights Act of 1964 (Title VII-CRA), as amended; the Pregnancy Discrimination Act of 1978 (PDA) ; the Equal Pay Act of 1963 (EPA); the Age Discrimination in Employment Act of 1967 (ADEA), as amended; Title I of the Americans with Disabilities Act of 1990 (ADA), as amended; and the Genetic Information Nondiscrimination Act of 2008 (GINA) .

Training and Education

The Participants intend to work together to achieve the following training and education goals:

- Launch an educational program (hereinafter referred to as "the Program") aimed at making Philippine nationals in the United States aware of applicable workplace laws and regulations .
- Monitor, review, evaluate, and modify the Program as needed, as set forth in this Memorandum of Understanding (MOU), so that Philippine nationals in the United States are aware of workplace rights and responsibilities.
- Provide for training by the EEOC on the application and enforcement of the statutes and regulations administered and enforced by the EEOC to staff at the Philippine Consulates in the United States to enable them to understand the laws and jurisdictional requirements and, ultimately, to make the correct referrals of potential claims to the EEOC.
- Develop additional appropriate educational materials as needed .

- Arrange for an EEOC representative to attend and participate in appropriate forums held to provide training and information for Philippine nationals and employers in the United States involving topics that fall under the anti-discrimination laws and regulations enforced by the EEOC.

Outreach and Communication

The Participants intend to work together to achieve the following outreach and communication goals:

- Conduct informational forums at the Philippine Consulates in the United States during the first year of the Program. A representative of each Participant is expected to attend the forums.
- Publicize this MOU and all relevant information regarding the Program through local and international media as resources permit.
- Provide educational materials to the Philippine Consulates in the United States for distribution. The EEOC is responsible for providing the materials.
- Provide the Philippine Consulates in the United States with an EEOC contact person to coordinate implementation of this MOU.

Set up a system whereby, when Philippine nationals who have returned to the Philippines and are owed monetary compensation that the EEOC has collected from the responsible employers, the EEOC can seek assistance to locate the national through the Philippine Consulates in the United States. The EEOC intends to facilitate this contact by providing the Philippine Consulates in the United States with the name, date of birth, and any other relevant information concerning these workers. When contact is made, the EEOC intends to direct to the Philippine Consulates in the United States the corresponding checks issued by the responsible employers, made out to the workers. Arrangements for the delivery of the checks to the workers are expected to be done through the Philippine Consulates in the United States and the Embassy of the Republic of the Philippines.

- Disseminate compliance and educational materials to the Philippine Consulates' constituency in the United States.

Promotion of a Dialogue

The Participants intend to work together to achieve the following goals related to promoting a dialogue on employment discrimination and equal employment opportunity:

- Raise awareness of and demonstrate commitment with respect to equal employment opportunity and workers' rights whenever the Participants address groups from the Philippine community in the United States.
- Convene or participate in forums, round table discussions, or stakeholder meetings on issues affecting Philippine nationals in the United States to help forge innovative solutions on issues concerning employment discrimination and equal employment opportunity, and other employment issues, and understanding of worker rights and employer responsibilities.
- Share information on U.S. equal employment opportunity laws and regulations, including those related to worker rights, employer responsibilities, and labor exploitation.

An implementation team made up of representatives of each Participant intends to meet to develop a plan of action, to mutually determine working procedures, and to identify the roles and intended responsibilities of the Participants. The EEOC intends to designate points of contact in its district and field offices for referrals from the Philippine Consulates in the United States. In addition, the Participants intend to meet each year to track and share information on activities and results in achieving the goals of this MOU.

The duration of this MOU is expected to be three (3) years from the date of its signature . In case of conflicts with existing arrangements between EEOC districts and field offices and the Philippine Consulates in particular localities, this MOU is expected to prevail. This MOU may be modified in writing at any time by mutual consent of the Participants . Either Participant may discontinue its participation under this MOU and is expected to provide thirty (30) days' advanced written notice of its intent to discontinue its participation .

Signed at Washington , D C , this 28[th] day of March 2018 .

FOR THE EMBASSY OF THE
REPUBLIC OF THE PHILIPPINES

(Sgd.)

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Ambassador of the Republic of the
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FOR THE U.S. EQUAL EMPLOYMENT
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Victoria A. Lipnic
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