

LETTER OF INSTRUCTIONS NO. 852, May 01, 1979

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TO : Minister of Labor
Minister of Foreign Affairs
Minister of Tourism
Minister of Finance
Chairman, Overseas Construction Board
Chairman, Overseas Employment Development Board
Officer-In-Charge, Travel Processing Center

WHEREAS, it is the policy of the Government to support the development of the Filipino overseas construction industry;

WHEREAS, a part of that Government support entails setting of complementary policies such as those concerning the exportation of Filipino construction workers under conditions that are consistent with the Government's concern for the protection and welfare of the workers;

WHEREAS, there have been recurring incidents where Filipino construction workers are recruited by or for foreign contractors under conditions that run counter to our efforts to develop our overseas construction industry and, at the same time, fail to provide the necessary safeguards for the well-being of the workers;

WHEREAS, there is a need to define clearly the responsibilities of government agencies that are involved in regulating the operations of overseas construction companies and in implementing policies related to the welfare of our workers;

WHEREAS, there is a need to take appropriate measures that will anticipate and prevent the occurrence of similar problems in the export of workers in industries other than construction;

NOW, THEREFORE, I, FERDINAND .E. MARCOS, President of the Republic of the Philippines, hereby prescribe the following policies and guidelines:

- Effective this date, only Filipino construction companies may export Filipino construction workers. The Ministry of Labor and the Overseas Construction Board shall determine the appropriate rules and regulations in this regard;
- The Ministry of Labor shall process construction workers for employment in overseas construction projects, only if such workers are employed by companies registered with the Overseas Construction Board. Companies now registered with the Bureau Employment Services, Ministry of Labor, but not registered with the Overseas Construction Board may continue to export Filipino construction workers, provided that said companies shall register with the Overseas Construction Board within one (1) year from the date of this Letter of Instruction.
- The Overseas Construction Board, in consultation with the Ministry of Labor, shall establish and implement the rules and regulations that will require "labor supply only" Filipino subcontractors in overseas projects to upgrade

their contracts within a reasonable period, but not exceeding two (2) years from the date of this LIO. Upgrading in this instance shall mean taking on additional responsibility in the implementation of a project such as, but not limited to, providing materials, equipment, management, etc., rather than supply labor only.

- The Overseas Employment Development Board shall limit its recruitment and placement of Filipino construction workers only to those that will be employed by foreign government in projects supervised and administered by such governments, and as employees of said foreign governments;
- The Minister of Labor, Foreign Affairs, Tourism, and Finance, and the Officer-in-Charge of the Travel Processing Center shall, as a Committee for the purpose, establish measures that will inhibit the abuse of tourism travel as a means to obtain overseas employment contrary to the purpose and intents of this LOI.
- The Ministry of Labor shall establish measures to develop the exportation of Filipino workers in corporate groups, rather than as individuals in the other industries such as, but not limited to, mining, hotel administration, and ports/stevedoring operations.

Done in the City of Manila, this 1st of May, 1979.

(Sgd.) FERDINAND E. MARCOS

President of the Philippines

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