INCREASING THE COMPENSATION AND OTHER BENEFITS IN THE POEA STANDARD EMPLOYMENT CONTRACT FOR SEAFARERS

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WHEREAS, it is the policy of the Administration to afford protection to Filipino overseas contract workers, including seafarers and their families, promote their interest and safeguard their welfare;

WHEREAS, the Administration under its mandate has the power and function to secure the best terms and conditions of employment of Filipino contract workers and ensure compliance therewith;

WHEREAS, the minimum compensation and other benefits in cases of death, disability and loss or damage to crew's effects provided under the POEA Standard Employment Contract for seafarers which was revised in 1989 are now becoming very much lesser than the prevailing international standards and those given to unionized seafarers as provided by their collective bargaining agreements;

WHEREAS, the Tripartite Technical Working Group convened for the purpose of deliberating the compensation and benefits provided under the POEA Standard Employment Contract for seafarers has recommended for the upgrading of the said compensation and benefits;

WHEREAS, for the interest of Filipino seafarers and their families, there is an urgent need to improve and realign the minimum compensation and other benefits provided under the POEA Standard Employment Contract for seafarers in order to keep them at par with prevailing international standards and those provided collective bargaining agreements.

NOW, THEREFORE, the POEA Governing Board, in a meeting duly convened, hereby resolves to amend and increase the compensation and other benefits as specified under Part II, Section C, paragraph 1 and Section L, paragraphs 1 and 2 of the POEA Standard Employment Contract for Seafarers which shall henceforth read as follows:

I
"Section C. Compensation and Benefits

1. In case of death of the seaman during the term of his Contract, the employer shall pay his beneficiaries the Philippine Currency equivalent to the amount of US$50,000 and an additional amount of US$7,000 to each child under the age of twenty-one (21) but not exceeding four children at the exchange rate prevailing during the time of payment.

Where the death is caused by warlike activity while sailing within a declared warzone or war risk area, the compensation payable shall be doubled. The employer shall undertake appropriate warzone insurance coverage for this purpose.

II
"Section L. Loss of or Damage To Crew's Effects by Marine Peril

1. THE SEAMAN shall be reimbursed by the employer the full amount of loss or damage to his personal effects but in no case shall the amount exceed the Philippine Currency equivalent to the amount of US$2,000 if his

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personal effects are totally lost or damaged as a result of the wreck or loss or stranding or abandonment of the vessel or as result of fire or flooding or collision.

2. In case of partial loss, amount shall be determined by mutual agreement of both parties but in no case to exceed the Philippine Currency equivalent to the amount of US$2,000.

xxx xxx xxx"

III

The maximum rate provided under Appendix I-A shall likewise be adjusted to US$50,000 regardless of rank and position of the seafarer.

IV

Upon effectivity, the new compensation and other benefits herein provided shall apply to any Filipino seafarer on board any vessel, provided, that the cause of action occurs after this Resolution takes effect.

V

This Resolution shall take effect after sixty (60) days from publication in a newspaper of general circulation.

(Sgd.) MA. NIEVES R. CONFESOR
Secretary of Labor and Employment
Chairman of the Board

(Sgd.) FELICISIMO O. JOSON, JR.
Administrator/Member

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