CODE OF DISCIPLINE FOR FILIPINO WORKERS ON OVERSEAS EMPLOYMENT

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In view of the increasing complaints for misbehavior and the involvement by some Filipino contract workers in felonies while working overseas and in order to preserve the image of Filipino contract workers as responsible, hardworking, industrious and dependable, this Code of Discipline is hereby issued for the guidance and observance by all Filipino contract workers while working overseas.

SECTION 1. Responsibility of Workers Overseas — It shall be responsibility of every Filipino worker overseas to abide by the terms and conditions of his employment contract, to behave in the best manner and tradition of a Filipino and to obey the laws and respect the customs, mores, traditions and practices of the country where he is working. It shall also be his responsibility to abide with the remittance requirements as well as to provide material help to his family during the period of his overseas employment.

a. Duty to Family: the worker shall

1)

see to it that while employed abroad, ample financial and moral support is given his family left in the Philippines.

2)

communicate with his family as often as he can and make his presence felt just as if he is around.

b. Duty to a Fellow CW: the worker shall

1)

endeavor to assist and cooperate with other contract workers working in the same site;

2)

restrain from degrading a colleague in order to get his position or rank;

3)

not maliciously withhold information or knowledge in order to put another Filipino worker in a difficult situation;

c. Duty to Country: the worker shall

1)

at all times uphold the ideals of the Republic and be ready to defend it if warranted;

2)

abide by the rules and regulations set up by government entities aimed at promoting their interests and enhancing national gains;

3)

be an Ambassador of Goodwill, projecting only the good in the Filipino and restrain from doing acts that will tarnish the Filipino's image abroad;

d. Duty to Agency and Employer: the worker shall

1)

provide the agency/employer with correct and true statements/certifications regarding his skill, experience and other qualifications.

2)

endeavor to understand the terms and conditions of his employment contract before affixing his signature and shall abide by the conditions stated therein.

3)

strive to maintain a high level of productivity as well as abide by company rules and regulations.

e. Duty to Host Country: the worker shall

1)

exert effort in learning as much of the mores, customs and traditions of the country where he is working and shall abide by them.

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2)

respect and obey the laws of the host country.

SECTION 2. Discipline of Workers — A breach by the worker of the Code of Discipline enumerated in Section 1 above or a commission of any of the offenses enumerated below while working overseas shall be subject to appropriate disciplinary actions as the Administration may deem necessary:

- Commission of a felony punishable by Philippine laws or by the laws of the host country;

- Drug addiction or possession or trafficking of prohibited drugs;

- Desertion or abandonment;

- Gambling especially where the laws of the host country prohibit the same;

- Drunkenness especially where the laws of the host country prohibit intoxicating drinks;

- Initiating or joining a mutiny in the case of seamen or in the case of land-workers inciting workers to joining a strike or work stoppage where the laws of the host country prohibit strike or similar actions;

- Smuggling or violation of customs regulations of the Philippines and of the host country;

- Creating trouble at the worksite or in the vessel;

- Embezzlement of company funds or of moneys and property of fellow workers entrusted for delivery to kin or relatives in the Philippines;

- Theft or robbery;

- Prostitution;

- Vandalism or destroying company property; or

- Gunrunning or possession of deadly weapons.

SECTION 3. Complaints for Breach of Discipline — Complaints for breach of discipline against a contract worker shall be filed with the Adjudication Department. The complaints shall be accompanied by substantial proof of breach of discipline.

SECTION 4. Disciplinary Action by the Administration — The Administration may, on its own initiative, undertake disciplinary action against a worker overseas for breach of discipline.

SECTION 5. Penalties for Breach of Discipline — Breach of discipline may be penalized by a stern warning, payment or refund of the cost of repatriation, confiscation of performance bond or by suspension or permanent disqualification from overseas employment. The penalty imposed by the Administration shall be without prejudice to whatever civil or criminal liability that may be imposed by appropriate courts arising from said breach of discipline.

SECTION 6. This Memorandum Circular shall take effect beginning March 16, 1983.

Adopted: 1983

(SGD.) PATRICIA A. STO. TOMAS
Administrator

Re-issued: 18 Feb. 1992

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