



THE CUTTING EDGE OF MIGRATION POLICYMAKING: EXAMPLES OF INNOVATIVE PRACTICE

*“Systematizing Safe Labour Migration
Policies and Procedures : The
Philippine Experience ”*

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OVERSEAS WORKERS WELFARE ADMINISTRATION

Republic of the Philippines

PHILIPPINE OVERSEAS EMPLOYMENT PROGRAM



- Almost 40 years old
- Defined structure: legal, administrative, & policy
- Strong policy base
- Recognized leadership
- Trailblazer

PHILIPPINE OVERSEAS EMPLOYMENT PROGRAM



- Dynamic; not static
- Can influence policies
- Long standing relationships with host governments / foreign employers
- OWWA's distinctive presence
(not dependent on government – e.g. repatriation in time of crisis)

LEGAL STRUCTURE



- Philippine Constitution of 1987
- Philippine Labor Code
- Republic Act 8042 (1995)
- Republic Act 10022 (2010)
- POEA Rules and Regulations Governing Overseas Employment
- OWWA Omnibus Policies

ADMINISTRATIVE STRUCTURE



- Government agencies have their respective mandates/roles in the OE program
- Lead government institutions – the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA)

ADMINISTRATIVE STRUCTURE



- **DEPARTMENT OF LABOUR AND EMPLOYMENT**
 - **Philippine Overseas Employment Administration**
– regulatory agency; licensing of manpower agencies; accreditation of foreign employers; approval of manpower requests; blacklisting of foreign employers;
 - **Overseas Workers Welfare Administration** –
welfare agency ; welfare fund management; programs and services; pre-departure education; language training

ADMINISTRATIVE STRUCTURE



- **National Reintegration Center for OFWs** - *return and reintegration of migrant workers*
- **Technical Education and Skills Development Authority** - *training, assessment and certification of skills/competencies*
- **International Labour Affairs Bureau** – *labour attaché corps*

ADMINISTRATIVE STRUCTURE



- DEPARTMENT OF FOREIGN AFFAIRS / OFFICE OF THE UNDERSECRETARY FOR MIGRANT AFFAIRS/ASSISTANCE TO NATIONAL UNIT – attends to concerns of overseas Filipinos
- DEPARTMENT OF HEALTH – accreditation and regulation of medical clinics; assistance to returning OFWs with mental illness;
 - **Philippine Health Insurance Corporation** – *administers health program for Filipino nationals, including OFWs*

ADMINISTRATIVE STRUCTURE



- COMMISSION ON HIGHER EDUCATION –
equivalency standards
- COMMISSION ON FILIPINOS OVERSEAS –
documentation and pre-departure orientation
of Filipino emigrants;
- DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT – *welfare assistance to
returning distressed migrant workers;
counseling*

ADMINISTRATIVE STRUCTURE



- **DEPARTMENT OF JUSTICE** – illegal recruitment and human trafficking
 - **Bureau of Immigration** – *exit documentation at the airports and seaports*

- **DEPARTMENT OF FINANCE/BUREAU OF CUSTOMS** - travel tax exemption; exemption from duties on goods of non-commercial value of migrant workers;

- **SOCIAL SECURITY SYSTEM** – portability of social insurance benefits

POLICY STRUCTURE



- **EXECUTIVE BRANCH** - Labor migration policies are crafted by the individual government agencies according to their mandate; lead migration agencies have policy-making bodies

POLICY STRUCTURE



- Migration Policy development is lodged with:
 - **POEA** – *Governing Board (5); tripartite body, composed of representatives from the government, management/ private sector and OFW sector; chaired by the Secretary of Labor and Employment*
 - **OWWA** – *Board of Trustees (12); tripartite body*
 - **TESDA** – *Board composed of representatives from the different industry Boards*

POLICY STRUCTURE



- **Legislative Branch** – House of Senate (Committee on Labor and Human Resource Development) and House of Representatives (Committee on Overseas Migrant Workers Affairs) craft/enact laws to further strengthen the standards of protection and welfare promotion;



MAJOR MIGRATION POLICIES

- Only individuals or groups licensed by the Government can recruit manpower for overseas employment;
- Joint and solidary liability of foreign employer and Philippine recruitment agency;
- One month placement fee for landbased workers; no placement fee for seafarers;

MAJOR MIGRATION POLICIES



- Membership fee of US 25 dollars per OFW hired for 2 years
- Reform package for Household service workers
- Mandatory PDOS
- Mandatory pre-employment medical exam
- Mandatory assessment and certification of skills

INPUTS TO POLICIES



- **Ratified International Conventions –**
corresponding laws are enacted or policies are formulated based on the ratified instrument
- **Bilateral Agreements**
- **Consultation with Advocates –** NGOs, academe, etc.
- **Consultation with OFW Family Circles**
- **Consultation with overseas Filipino communities**



CHALLENGES

- POLICY EVALUATION OR ASSESSMENT
- DEARTH OF POLICY RESEARCH
- HARMONIZED POLICIES
- INSTITUTIONALIZED PROTOCOLS OF COOPERATION
- OVERSIGHT BODY TO ENSURE COHERENCE OF POLICIES

THANK YOU.

