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INSTITUTE FOR LABOR STUDIES
Bridging Policy, Research, and Practice



PH GOOD PRACTICES ON RECOGNITION OF SKILLS AND ADDRESSING MIGRANT WOMEN'S NEEDS TO SERVICES, SOCIAL PROTECTION, AND JUSTICE

LABOUR MOBILITY BETWEEN ASIA AND THE ARAB STATES

Supported by EU-UN Spotlight Initiative's Safe and Fair Programme, EU-funded REFRAME Project, Swiss
Development and Cooperation-FAIRWAY Project

Bangkok, Thailand | 03 December 2019

CARL ROOKIE O. DAQUIO

Acting Supervising Labor and Employment Officer

PRESENTATION OUTLINE



Protection focusing on
women migrant workers

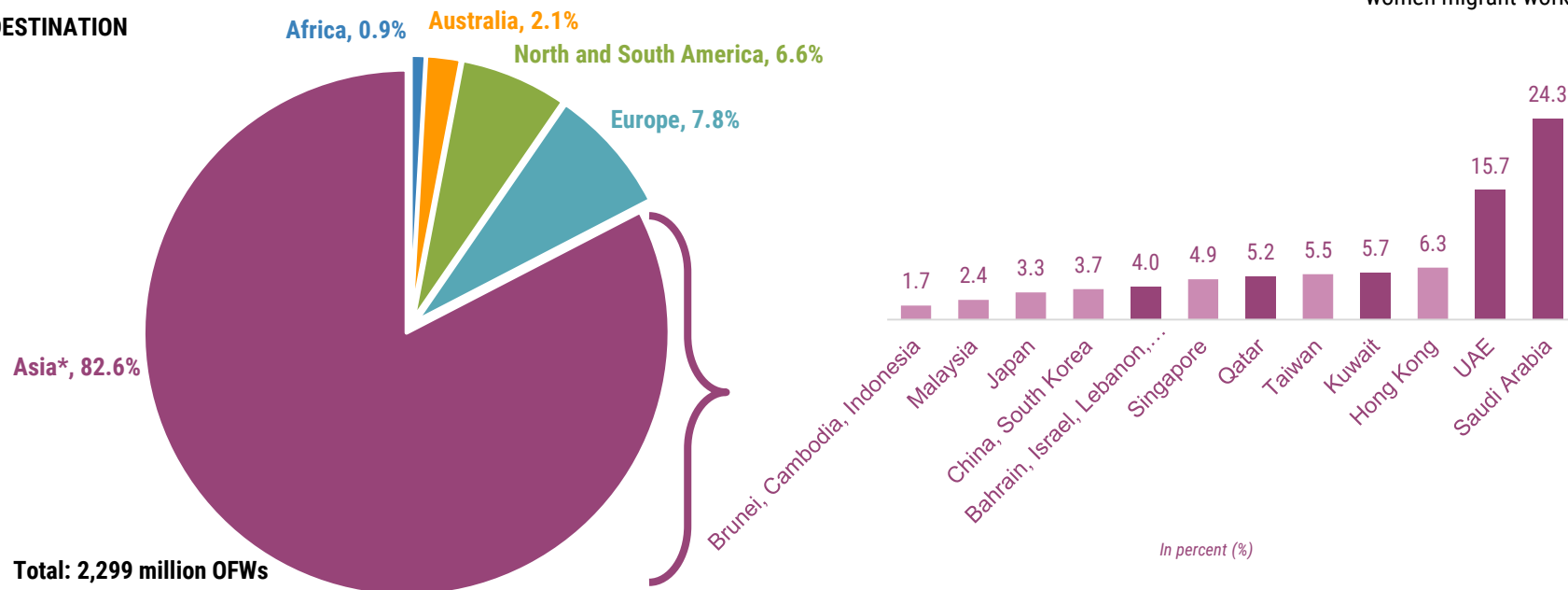
1. Overseas Filipino Workers (OFWs) Deployment in Review
2. Regulations and Practices on Overseas Employment of Filipinos
 - i. Education, Skills, and Training
 - ii. Access to Services
 - iii. Social Protection
 - iv. Access to Justice

OFW Deployment in Review



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BY DESTINATION



*East Asia, Southeast and South Central Asia,
Western Asia

Source: Philippine Statistics Authority, 2018 Survey on Overseas Filipinos

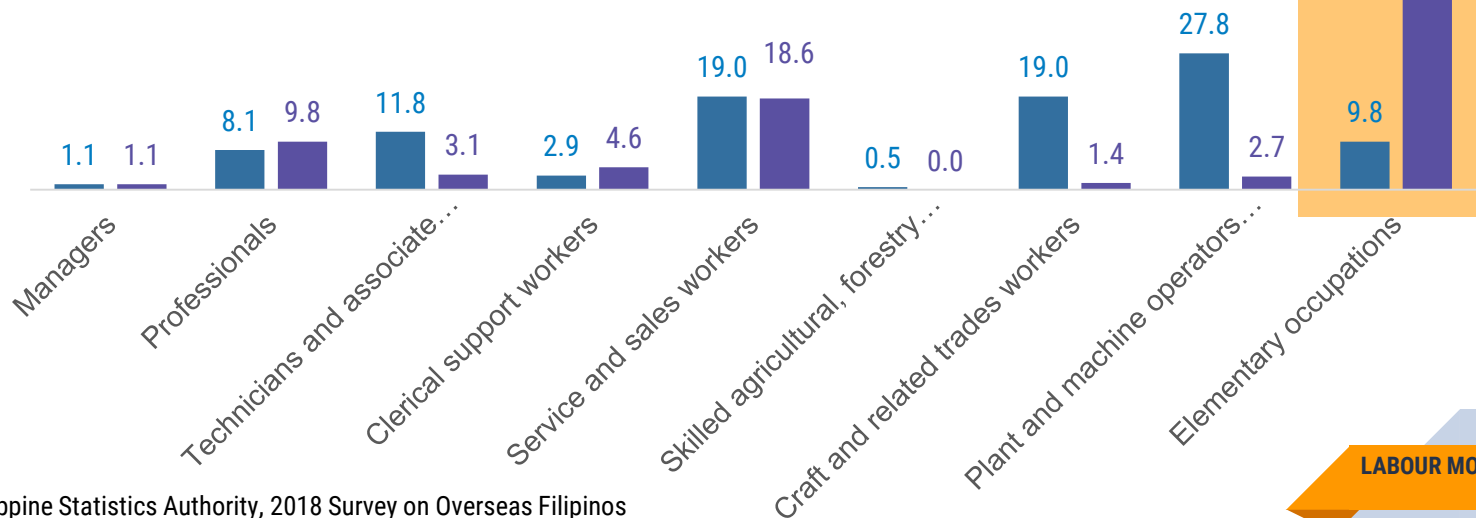
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OFW Deployment in Review



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BY SEX AND OCCUPATION



PHL
3rd largest
migrant-sending
country
with domestic
workers
consistently
recording first
among newly-
hired workers
(IOM, 2017)

Source: Philippine Statistics Authority, 2018 Survey on Overseas Filipinos

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Regulations on Overseas Employment



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- 1 Migrant Workers and Overseas Filipinos Act of 1995 (RA 8042) as amended by RA No. 10022 in 2010
- 2 Revised Philippine Overseas Employment Administration (POEA) Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016
- 3 Handbook for OFWs Act of 2018 (RA No. 11227)

Regulations and Practices on Overseas Employment

Education, Skills and Training



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INFORMATION AND EDUCATION

Pre-Employment Orientation Seminars (PEOS)

Intended to help applicants make informed choices in relation to overseas labor and highly recommended

Pre-Departure Orientation Seminar (PDOS)

Mandatory one-day seminar for legally deployed workers;
Includes language training, culture familiarization,
stress management;

Specific orientation for domestic workers with modules on human rights and cultural values

Post-Arrival Orientation Seminar (PAOS)

Should complete the preparation of the workers, taking advantage of the knowledge of officers in the destination countries

PRE-REQUISITES

Applicants undertakes the necessary formalities, according to the job applied for and the country of deployment - such as medical/health examination, skills training and assessment, and language training (RA 10022, sec. 1 (g)).

Regulations and Practices on Overseas Employment

Education, Skills and Training



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Online Pre-Employment Orientation Seminars (PEOS)

- Launched in 2014
- Re-launched in 2016 as a mandatory pre-application requirement
- Bridges the information gap between community-based PEOS and the PDOS

A vertical poster titled 'PEOS IS NOW ONLINE [Pre-Employment Orientation Seminar]'. It features the Philippine Overseas Employment Administration (POEA) logo at the top. The text explains that PEOS Online is a free program by the POEA to educate aspiring Overseas Filipino Workers (OFWs) on legal working conditions. It lists three benefits: Mabilis (Fast), Madali (Convenient), and Kumpleto (Comprehensive). A list of steps to take the seminar online is provided: 1. Mag-register, 2. Pag-aralan ang modules, 3. I-print ang certificate. At the bottom, it says 'In partnership with we@rkabroad.ph' and 'Take the PEOS Online today! www.peos.poea.gov.ph'. An illustration of a smiling couple stands next to the text.

PEOS IS NOW ONLINE
[Pre-Employment Orientation Seminar]

What is the PEOS Online?

The Pre-Employment Orientation Seminar (PEOS) Online is a free program by the Philippine Overseas Employment Administration (POEA). It is a learning website that aims to educate aspiring Overseas Filipino Workers (OFWs) on the legal ways of working overseas and prepare them to be documented OFWs.

Why take the PEOS Online?

- ✓ **Mabilis (Fast)**
Each module takes about 7 minutes to complete
- ✓ **Madali (Convenient)**
Take the learning modules anytime, anywhere
- ✓ **Kumpleto (Comprehensive)**
It contains everything you need to know about working overseas

How can you take the PEOS Online?

- 1 Mag-register
- 2 Pag-aralan ang modules
- 3 I-print ang certificate

In partnership with **we@rkabroad.ph**

Take the PEOS Online today!
www.peos.poea.gov.ph

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Online Pre-Employment Orientation Seminars (PEOS) Module for Domestic Workers

Part 1 - Ano ang Mga Kailangan Kong Malaman Bago Mag-Abroad?

Itanda ang sarili sa pag-a-abroad. I-click ang module title para simulan ang pag-aaral.

- Module 1. Mag-a-abroad Ba Ako o Hindi?**
Ang paghahanap ng trabaho sa abroad at ang pansamantalang paglayo sa pamilya ay isang mabigat na pagpapasya. Upang makapawa ng tamang desisyon, gamitin ang ISIPP.
- Module 2. Paano Mag-apply Bilang Domestic Worker**
Simulan ng tama ang pangarap mong trabaho sa ibang bansa. Mag-apply lamang sa mga recruitment agency na lisensyado ng POEA.
- Module 3. Work Abroad Safely: Paano Makakaiwas sa Illegal Recruiters?**
Hindi mawawala ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.
- Module 4. Anu-ano at Magkano ang mga Gagastusin sa Pag-a-apply?**
Pero mas maganda kung alam mo kung alin ang dapat mong bayaran at kung anu-ano ang sagot ng employer mo o ng recruitment agency.

Module 3: Work Abroad Safely. Paano Makakaiwas sa Illegal Recruiters?

Nakaisilaw sa pag-aabroad mo at ng ibang mga mabul sa buhay kaya naman kailangan mong maging mangit. Itagay masikip. Hinag nang basta basta magpapasya sa mga salawit at itagay magpapasya sa mga nakaisilaw. Pangang mag-confuse sa POEA ng mga disyon.

Wala! mawawala ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.

PAANO MAKAKAIWAS SA ILLEGAL RECRUITER?

- 1. MALI!** Ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.
- 2. TAMA!** Ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.
- 3. HUBAG MAGABAYAD NG PLACEMENT** Ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.
- 4. Lagay humingi ng reseta na nakalagay ang kahaluan ng ibang paglalay.**

5. HUBAG MAGABAYAD NG PLACEMENT Ang mga taong magtatangkang lokihin ka sa pamamagitan ng mga matatamis na salita, nakasilaw na job offers at kunwaring mas mabilis na paraan para makakuha ng trabaho sa ibang bansa.

6. Lagay humingi ng reseta na nakalagay ang kahaluan ng ibang paglalay.

Pre-Employment Orientation Seminar (PEOS) Online, powered by WorkAbroad.ph
Module 3: Work Abroad Safely. Paano Makakaiwas sa Illegal Recruiters?

Regulations and Practices on Overseas Employment

Education, Skills and Training



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Online Pre-Employment Orientation Seminars (PEOS)

At the end of each module is a review exercise consisting of five questions. Applicant must get at least three correct answers to be able to proceed to the next module.

After successfully completing the 8 modules, a facsimile of the PEOS certificate will be generated. In fact, PEOS website has a facility where the PEOS completion can be checked.

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Online Pre-Employment Orientation Seminars (PEOS)

PEOS ONLINE	2014		2015		2016		2017		2018	
	Registered	Completed	Registered	Completed	Registered	Completed	Registered	Completed	Registered	Completed
HSW					244,796	204,462	431,372	383,724	278,932	250,237
PROFESSIONAL	35,295	30,746	50,487	21,261	221,305	167,938	398,786	320,668	284,568	241,457
TOTAL	35,295	30,746	50,487	21,261	466,101	372,400	830,158	704,392	563,500	491,694

TOTAL REGISTERED

Domestic Workers 955,100

Professional / Skilled 990,441

1,945,541

TOTAL COMPLETED

Domestic Workers 838,423

Professional / Skilled 782,070

1,620,493



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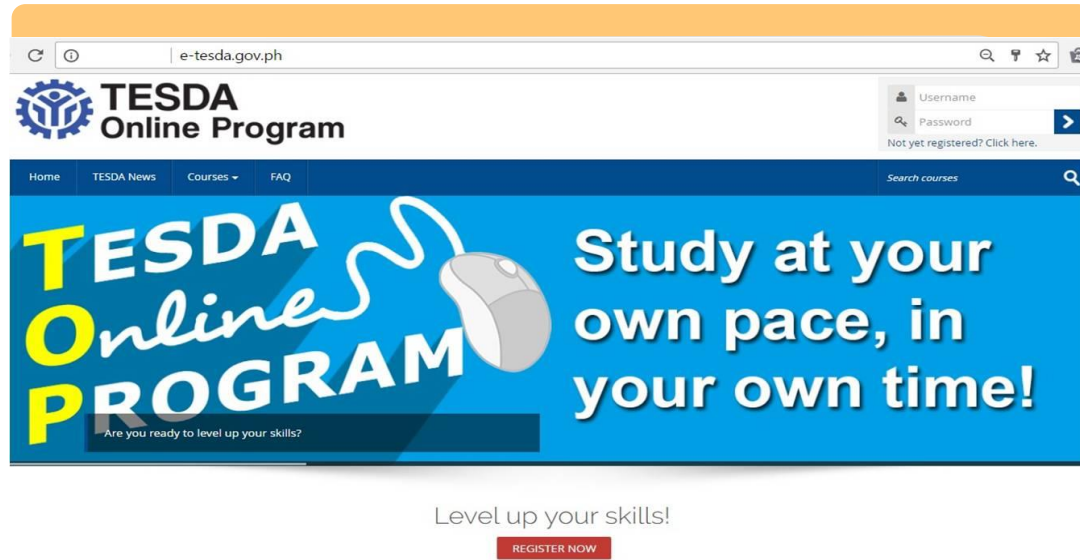
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Technical Education and Skills Development Authority (TESDA) Online Program



The TESDA Online Program (TOP) is an open educational resource that aims to make technical education accessible to more Filipino citizens, through the use of ICT.

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OUTCOMES

Upgrade skills

Shift from vulnerable to
decent jobs

Increase income
opportunities

Opens livelihood
opportunities

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Technical Education and Skills Development Authority (TESDA) Online Program



Onsite Assessment and Certification

Assess current knowledge and skills of OFWs in related or alternative qualifications or jobs acquired thru training or work experience;

Assist the OFWs in acquiring the Philippine National certification; and

Prepare the OFWs for reintegration.

Regulations and Practices on Overseas Employment

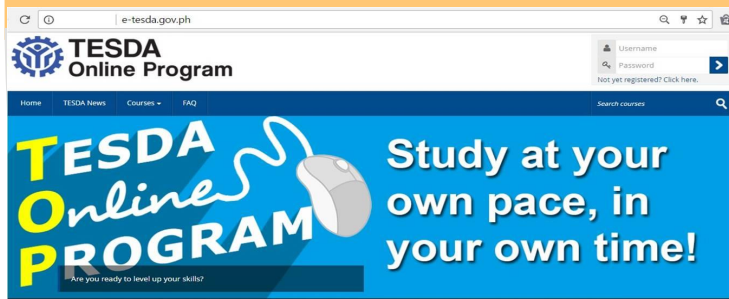
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Technical Education and Skills Development Authority (TESDA) Online Program

Onsite Assessment and Certification

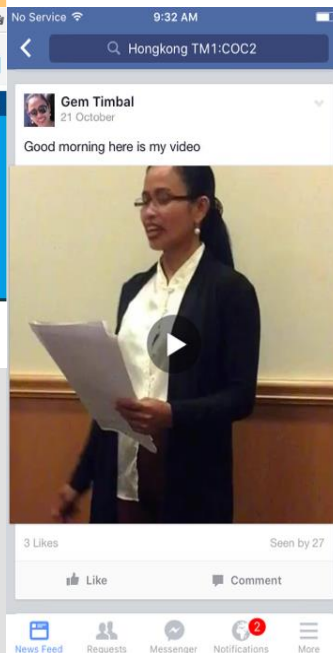


Level up your skills!

REGISTER NOW

Training on Conduct Competency Assessment

- Face to Face
- Online Program
- Social Media



Assessment of
Candidates for
Assessors are done
by a 3-member panel.

KSA and Dubai:
1 Panel member in the
country while 2 are in
the Philippines, by
using Skype or Zoom.



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Regulations and Practices on Overseas Employment

Education, Skills and Training



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In terms of volume of workers needed as well as the diversity of skills required, the **Middle East** remains to be biggest prospective employer of OFWs onwards

GCCs are initiating reforms in the area of employing foreign workers



Bilateral labor agreements (BLAs) for various skills between the Philippines and GCC Members are seen as deployment-facilitating and protection instruments to afford better protection for OFWs

Out of the 68 BLAs entered, the Middle East and Northern Africa contributed the highest (38%)

2018

Has both general and specific BLAs for the deployment and protection of domestic workers: Lebanon (2012), Saudi Arabia (2017), United Arab Emirates (2017), Kuwait (2018), and Jordan (2018)

Deployment only of skilled domestic workers and those that have completed the necessary pre-departure orientation seminars, including instruction in the language of the Receiving State

Adoption of mutually agreed Standard Employment Contracts (SEC) and the participation of Philippine Overseas Labor Offices (POLOs) in the verification of contracts' authenticity

1

2

3

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Regulations and Practices on Overseas Employment

Access to Services



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1

Strengthening the operations of One-Stop Service Center for OFWs (OSSCO)

- Shared responsibility among 16 government agencies in providing enhanced OFW services;
- Through the OSSCO, the time to process documents is shortened; travel expenses are reduced; and effectiveness of delivery of services is increased; and
- As of December 2018, a total of 3.8 million clients have been served by the 19 OSSCOs nationwide

2

A 24/7 hotline has also been set up to provide guidance for various OFW concerns

Through the OSSCO, government frontline services are made accessible to Filipinos who are currently working or planning to work overseas. It operates from 8:00 A.M. to 5:00 P.M., Mondays to Fridays

3

Protection of OFWs abroad through foreign posts of the Philippine government

- One Country-Team Approach (RA 8042, sec. 28) through the Joint Manual of Operations
- Establishing the Migrant Workers and other Overseas Filipinos Center (MWOFRCS) (RA 8042, sec. 19); and
- Establishing the Legal Assistant for Migrant Workers Affairs (RA 8042, sec. 24)

Regulations and Practices of Overseas Employment

Access to Services



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4

Efforts in enabling migrant workers access to digital support services including:

Support and information through connecting migrant workers; and

Direct services and advice, including on financial issues, remittances, complaints



OFWWatch, The Philippines

App using **Facebook** login to create profiles;

Connects Filipino workers with nearby OFWs, and alerts them of anyone in trouble.

Regulations and Practices on Overseas Employment

Social Protection



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1

Strengthening standards for the protection of migrant domestic workers

- Household Service Workers (HSWs) Reform Package of 2006 (setting the minimum wage, no placement fee, TESDA skills certified, attendance to the pre-departure orientation program);
- In relation to ILO Convention 189 ratification, Kasambahay Law (RA 10361) was promulgated, providing mandatory benefits for HSWs such as monthly minimum wage; five days annual service leave; 13th month pay; and weekly rest period, among others; and
- Adoption of Standard Employment Contract for Domestic Workers



2

Mandatory insurance covering all migrant workers for the duration of employment (RA 10022, Sec. 23)

- Social security protection is obtained through membership in the Social Security System (Social Security Act of 2018);
- The benefits include, among others, retirement, death, disability, funeral, sickness, maternity and unemployment insurance or involuntary separation benefits; and
- Bilateral Social Security and Labor Agreements and Other Measures for Enforcement



Regulations and Practices on Overseas Employment

Social Protection



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Standard Employment Contract (SEC)

Part V (Employment Standards) of POEA Guidelines

SECTION 135. Minimum Provisions of Employment Contracts

- Complete name and address of the employer/company;
 - Position and jobsite of the OFW;
 - Basic monthly salary, including benefits and allowances and mode of payment;
 - Adequate food and suitable/sanitary living accommodation/quarters or the monetary equivalent;
 - Commencement and duration of contract;
 - Free roundtrip airfare transportation, and free inland transportation at the jobsite;
 - Regular work hours and day off/rest day;
 - Overtime pay;
 - Vacation leave and sick leave for every year of service;
- For acceptable medical reasons, the HSW shall be allowed to rest and continue to receive his/her regular salary;

- Free emergency medical and dental treatment;
- Just/valid/authorized causes for termination of the contract or of the services of the workers;
- Settlement of disputes;
- Repatriation of worker in case of imminent danger due to war, calamity, and other analogous circumstances, at the expense of employer;
- In case of worker's death/repatriation of OFWs human remains and personal belongings, at the expense of the employer; and
- Opening of bank account and shall remain in the custody of HSW.

**Adoption of Standard Employment Contracts
for DWs (general and country specific)*

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Social Protection



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3

Participation in other social protection programs available to all Filipino citizens



- Health protection is provided through the National Health Insurance Program (NHIP) membership in PhilHealth (further strengthened under RA No. 11223 or the Universal Health Care Act); and
- In addition, pursuant to the Home Development Mutual Fund Law of 2009 (RA 9679), which established PAG-IBIG, a government financial institution involved in mobilizing provident funds, OFWs are required to become members and have the possibility to earn dividends (tax-free), and to avail of housing loans (up to as much as PHP 2 million).

Regulations and Practices on Overseas Employment

Access to Justice



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1

Gender sensitization of relevant stakeholders

- Raising awareness of domestic workers on all legal and judicial services upon arrival and preemployment;
- Educating the domestic workers on the use of internet/gadgets, hotline to document evidence and taking care of personal documents; and
- Setting-up of domestic workers desk



2 Protecting mechanisms



- Mandatory Conciliation through POEA or the Philippine Overseas Labor Office (POLO); Money claims settled through the Single Entry Approach (SEnA);
- On-Site Complaints for Violation of the POEA Rules and Regulations (under Department Order No. 87-08 and/or POLO Manual of Operations);
- Joint Case Management Team and Rapid Response Team (RRT); and
- Task Force Anti-Illegal Recruitment (TFAIR) and Inter-Agency Council Against Trafficking (IACAT)



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