

Methodology



3 CHAPTER

This Technical Paper with a database is about the laws and policies relevant to the health of Overseas Filipino Workers and their families, with the objective of conducting a rapid mapping of Philippine migrant health laws and policies at the national and local levels, and annotating and rapidly analyzing these using multiple lenses: gender, localization, alignment with international labour migration standards, and applicability to OFWs or their families. The mapping and rapid appraisal focus on the current status of the laws/policy, strengths/innovations, gaps/weaknesses and recommendations for policy/law reform. The study does not interpret international standards/instruments; instead, these will only be mapped and used as a reference in analyzing the alignment of Philippine laws with international standards or instruments.

The specific tasks covered in this study are:

1. Gathering of reliable and verifiable information on Philippine laws, policies, guidelines, protocols, executive / administrative / department orders or issuances were gathered at the national level and from selected local areas, focusing on those that are relevant to the health of OFWs and their families; “health” here is in accordance with the WHO holistic definition of health.
2. Gathering of information on ASEAN and international standards, conventions, instruments, and agreements relevant to the health of OFWs or are applicable to the Philippines.
3. Annotation of laws, policies and issuances, if they have provisions or dimensions on gender, localization, alignment with international labour migration standards, and applicability to health concerns of OFWs at pre-deployment, employment and return stages or their families.
4. Initial and rapid analysis focusing on: current status of the laws/policies; strengths/innovative aspects of the law/policy; gaps/weaknesses; and recommendations for policy/law reform.

The outputs of this study will be used to support the development of an online “living” policy repository – so that the information can be dynamically managed, updated, and maintained by PMHN as an online repository or knowledge hub accessible to migrants and stakeholders for research, analysis and advocacy activities.

Initial deliverables (Rapid Appraisal, Mapping of Laws and Annotation) were presented for comments and inputs to PMHN members on March 23 and June 29, 2023. In the audience were the key government health-related and migration-related agencies, migrant advocates, academe and civil society, and the International Labour Organization.

Ethics clearance was sought from the University of Asia and the Pacific Research Ethics Review Board. This was kept at hand during the focus group discussions in the five regions. At the start of each FGD, the facilitator enunciated the ethical aspects of the study such as “Results of this study will only be used for the purpose of this study,” “You can withdraw from your participation at any point of the activity,” “You can have access to the research

output which is an online living repository to be maintained and managed by the PMHN, and hosted in the website of the DOH (PMHN section).”

Profile of Overseas Filipinos

Data from the 2017 and 2018 Survey on Overseas Filipinos (conducted annually by the Philippine Statistics Authority) presents the continued increase in the proportion of women OFWs, from 53.7 percent of the OFW population in 2017, to 55.8 percent in 2018, with women OFWs generally younger than men OFWs. The elementary occupation and service and sales workers are occupied by the majority of women OFWs (58.7 percent). [De Dios, 2019] In Hong Kong SAR, OFWs intimated that they would continue being migrant workers as long as their health allows (Ofreneo and Samonte, 2005: 61).

In the regular (quarterly) surveys conducted by the Bangko Sentral ng Pilipinas (BSP), the number of OFW households that received remittances in 2018 was 478. In 2022, it was 322. BSP data shows that in 2022 (2nd quarter survey), remittances were still mainly used for food and other household needs (97.5 percent). In 2018 (1st quarter survey), medical expenses was the third leading expense (54.6% of OFW households); this remained steady as the third leading expense in 2022 (53.4% of OFW households). In 2022 (second quarter survey), the top uses by OFW households of remittances were for: savings (33.5 percent of OFW households), debt payments (21.7 percent), purchase of house (8.1 per cent), investments (7.1 per cent), and purchase of motor vehicles (5.9 percent). OFW families saved money for the following reasons: (a) emergencies, (b) health and medical expenses, (c) retirement, (d) education, (e) housing, and (f) business capital and investment. Loan proceeds in 2022 was used for health-related expenses (10.2 percent). This is lower compared to 11 percent in 2021 and 14.4 percent in 2020. The preferred loan provider of the participants was relatives / friends at 29.8 percent, followed by individual money lender (13.7 percent), bank (11.2 percent) and lending company (10.3 percent).



Data Gathering

The gathering of laws and information from the regions was done with OFW Family Circles, stakeholders, line agencies and LGUs. After securing (a) endorsements from the Department of Health Office of the Secretary through the PMHN Chairperson Dr. Anna

Marie Celina Garfin, and the ILO Country Director Mr. Khalid Hassan, and (b) Informed Consent Form from the University of Asia and the Pacific Research Ethics Review Board, fieldwork was undertaken.

The FGDs of the two groups were conducted in five regions: National Capital Region (NCR), Region 3 (Central Luzon), 4-A (CALABARZON), 7 (Central Visayas) and 9 (Zamboanga Peninsula) from March 26 to April 26, 2023. Participants were 36 OFW Family Circle officers and 43 OFW stakeholders representing OWWA, NRCO, DILG, DOH, DSWD, PESO, and Local Government Unit (LGU) officials, with a total of 79 participants in the five Regions. See Table 1 for details.

Table 1. FGD Participants: OFW Family Circles and Stakeholders

Region	FGD Family Circle Schedule	No. of Participants	Venue	FGD Stakeholders Schedule	No. of Participants	Venue
Region 3	March 28	5	OWWA Regional Welfare Office (RWO) 3, San Fernando, Pampanga	March 29	10	Holidayland Restaurant, San Fernando, Pampanga
NCR	March 30	10	OWWA RWO NCR, Pasay City	March 31	15	University of Asia and the Pacific, Pasig City
Region 4A	April 11	9	Tita Chu's Restaurant, Calamba, Laguna	April 12	7	The Alpa Hotel, Batangas City
Region 7	April 18	4	OWWA RWO 7, Cebu City	April 19	5	Park Social, Cebu City
Region 9	April 25	8	OWWA RWO 9, Zamboanga City	April 26	6	Garden Orchid, Zamboanga City
Total		36			43	

The collation of laws from Philippine embassies and consular offices was also done from March to June 2023. Endorsements to the Migrant Workers Offices (MWOs) in Philippine embassies/consulates in Thailand, Vietnam, Hong Kong SAR, Japan, Taiwan, Qatar, Dubai, and Riyadh were made by Hon. Paul Raymond Cortes, Assistant Secretary, Department of Foreign Affairs – Migrant Workers Office (DFA-MWO) with the assistance of Atty. Abdul Rahman Pacasum.

Atty. Romulo Ubay Jr., Assistance to Nationals Officer and Attaché of the Philippines Embassy in Bangkok, Thailand was interviewed on April 14, 2023.

Atty. Edlyn Verzola, AZAR Senior Associate in Kuwait, was interviewed on March 9 and then she provided the laws and regulations in Kuwait that apply to Filipino migrant workers.

Atty. Kristal Mary Rabanal, Vice Consul at the Consulate General of the Philippines in Saudi Arabia, provided copies of the laws in Saudi Arabia.

Ms. Marivic Clarin, Singapore OWWA Welfare Officer, contributed laws and regulations from Singapore.

Atty. Paulo V. Sarte, Consul, Assistance to Nationals (ATN), Philippine Consulate General in Hong Kong SAR with Consul Arnel V. De Luna, Assistance-to-Nationals Officer and Joshua Villa, Welfare Assistant, interviewed on June 27, 2023.

Focus Group Discussions

FGD questions:

Major Question: What are the laws, policies, protocols, guidelines, issuances, directives regarding migrant workers' health that you have been implementing / are implementing under your jurisdiction?

Specific Questions:

1. How are these translated into programs and services addressing the health welfare and needs of migrant workers?
2. In the course of implementing these laws, policies, issuances, guidelines, what are the gaps that you saw that the laws have not yet covered?
3. How do you intend to fill these gaps, if at all?

The participants

- Local governments: NCR, Regions 3, 4A, 7, 9, BARMM
- Government agencies: DMW, DOH, DSWD, DILG, DFA, PhilHealth
- Special government bodies: Commission on Human Rights (CHR)
- OFW Family Circles in NCR, Regions 3, 4A, 7, 9
- Key Informant Interviews (KIIs) and computer-assisted data gathering: Thailand, Kuwait, Hong Kong SAR, Singapore and Saudi Arabia
- Stakeholders: Total of 43 participants from six regions - NCR, Regions 3, 4A, 7, 9 and BARMM
- Department of Migrant Workers (DMW): Assistant Secretary for Reintegration

- Department of Foreign Affairs (DFA): Office of the Undersecretary for Migrant Workers Affairs (OUMWA), and Assistance-to-Nationals (ATN) Case Officer
- Overseas Workers Welfare Administration (OWWA): NCR (1 participant); Region 3 (2); Region 4A (1); Region 7 (2); Region 9 (2)
- Department of Health (DOH): NCR (2 participants); Region 3 (1); Region 7 (1); Region 9 (2)
- Department of Interior and Local Government (DILG): Region 3 (1 participant); Region 7 (1); Region 9 (1)
- Department of Social Welfare and Development (DSWD): Region 3 (1 participant)
- Local Government Units / Public Employment Services Office (PESO): NCR - Quezon City (2 participants), Marikina (1); Region 3 - Angeles City (2), San Fernando (2); Region 4-A - General Trias (3), Batangas (1), Calamba (1), Laguna (1)
- University of the Philippines (UP): Public Health (1 participant)
- Philippine Association of Service Exporters, Inc (PASEI): 1 participant
- Bangsamoro Autonomous Region in Muslim Mindanao (BARMM): Ministry of Labor and Employment, Ministry of Social Service and Development, Ministry of Health.
- OFW Family Circles: Total of 36 participants from NCR (5); Region 3 (10); Region 4A (9); Region 7 (4); Region 9 (8)

Interview participants

- Atty. Kristal Mary Rabanal, Vice Consul at the Consulate General of the Philippines in Saudi Arabia, provided copies of the laws in Saudi Arabia
- Atty. Edlyn Verzola, AZAR Senior Associate in Kuwait, provided copies of laws and regulations in Kuwait that apply to Filipino migrant workers
- Ms. Marivic Clarin, Singapore OWWA Welfare Officer, provided copies of laws and regulations from Singapore
- Atty. Romulo Ubay Jr., Assistance to Nationals Officer and Attache at the Philippine Embassy in Bangkok, Thailand,



interviewed on April 14, 2023

- Atty. Paulo Sarte, Consul, Assistance to Nationals (ATN), Philippine Consulate General in Hong Kong SAR; Atty. Arnel V. De Luna, Assistance to Nationals Officer; and Mr. Joshua Villa, Overseas Workers Welfare Assistant - all interviewed online on June 27, 2023
- Ms. Raiza S. Malingco, Overseas Workers Welfare Officer III
- Mr. Annuarudin U. Tayuan, MPA - Director I of Overseas Workers Welfare Bureau, BARMM Ministry of Labor and Employment, interviewed online on May 26
- Ms. Jan Michelle Agata, focal person, Recovery and Reintegration Program for Trafficked Persons, MSSD-BARMM, interviewed online on June 5

Philippine Migrant Health Network (PMHN) participants during the consultation or validation sessions, and/or provided comments by email, March and June 2023

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