



Overseas Employment and other Pathways of Filipino Labor Mobility

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Overseas Filipino Workers' Global Presence

- about 4,800 OFWs deployed per day
- about 900 of those deployed daily are seafarers





Overseas Filipino Workers' Global Presence

- OFWs can be found in more than 197 countries
- OFWs work in more than 50,000 ocean going vessels
- deployment of OFWs has reached more than the 1-mark since 2006
- total OFWs (LB and SB) deployment nearing the 2-milliom mark with 1,832,668 since 2014



Socio-Economic Contributions of OFWs

- OFWs remittances significantly contribute to our country's reserves
- they are potential bearers of industry-critical skills and expertise acquired overseas
- they are potential investment-promoting agents/entrepreneurs when they return

	2010	2011	2012	2013	2014	2015	Jan - Jun 2016
TOTAL	18,762,989	20,116,992	21,391,333	22,984,035	24,628,058	25,767,166	13,192,474
Landbased	14,956,881	15,776,576	16,555,991	17,768,656	19,124,879	19,974,707	10,370,008
Seabased	3,806,108	4,340,416	4,835,342	5,215,378	5,503,179	5,792,459	2,822,466



Deployment Trends, 2011-2014

- the Middle East continues to have the biggest share of total year-on-year deployment of OFWs with more female than male workers deployed
- the deployment of landbased and seabased overseas Filipino workers grew in the Middle East
- deployment to the Americas and Trust Territories during the same period were stagnant, while deployments to Africa, Asia and Oceania declined starting year 2013
- deployment to Europe has been declining since 2011



Deployment Trends, 2011-2014

Total OFW Deployment by Major World Grouping, 2010-2014

World Group	2011	2012	2013	2014
Africa	28,531	25,194	26,294	22,240
Americas	27,679	29,553	29,191	27,615
Asia	415,224	476,021	476,422	420,106
Europe	57,880	47,070	38,204	29,950
Middle East	764,586	825,402	863,152	885,541
Oceania	19,492	27,391	31,237	21,311
Trust Territories	4,236	3,682	4,317	3,867
NEC	1,099	853	362	20,212
Total Landbased Workers	1,318,727	1,435,166	1,469,179	1,430,842
Total Seabased Workers	369,104	366,865	367,166	401,826
Grand Total	1,687,831	1,802,031	1,836,345	1,832,668



Deployment Trends, 2011-2014

- services sector remains as the leading generator of jobs for overseas
- household service workers (HSWs) remains as the leading occupation deployed
- 'professional nurses' is the second largest occupation deployed
- deployment of laborers/semi-skilled construction workers grew but deployment of skilled construction workers has been on a decline since 2011

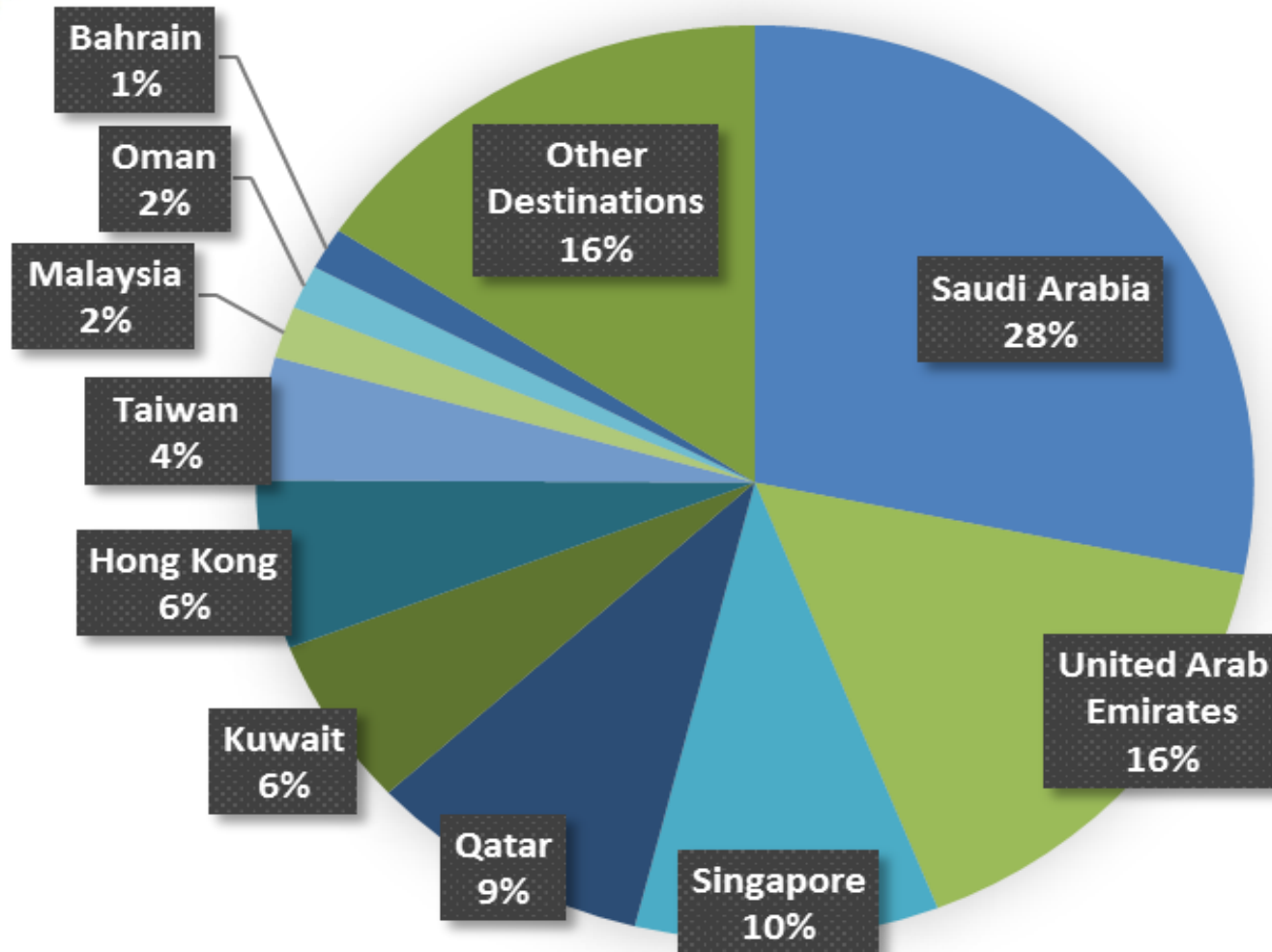


Deployment Trends, 2011-2014

Deployed Landbased Overseas Filipino Workers by Top Ten Occupational Categories, New Hires				
Occupational Category	2011	2012	2013	2014
All Occupational Categories	437,720	458,575	464,888	487,176
Household Service Workers	142,689	155,831	164,396	183,101
Nurses Professional	17,236	15,655	16,404	19,815
Waiters, Bartenders and Related Workers	12,238	14,892	14,823	13,843
Caregivers and Caretakers	10,101	9,128	6,466	12,075
Charworkers, Cleaners and Related Workers	6,847	10,493	12,082	11,894
Laborers/Helpers General	7,010	9,987	11,892	11,515
Wiremen and Electrical Workers	9,826	10,575	9,539	8,226
Plumbers and Pipe Fitters	9,177	9,657	8,594	7,657
Welders and Flame-Cutters	8,026	8,213	7,767	7,282
Cooks and Related Workers	5,287	6,344	7,090	5,707
Others	209,283	207,800	205,835	206,061

Deployment, 2015

Total Landbased = 1,437,875





Deployment, 2015

Major Occupational Group-New Hires

Major Occupational Group			No. of OFWs	% SHARE
Professionals			39,740	7.71
Technicians and Associate Professionals			27,830	5.40
Services and Sales Workers			168,702	32.74
Elementary Occupations			162,887	31.62
Craft and Related Trades Workers			55,059	10.69
Plant and Machine Operators and Assemblers			21,893	4.25
Clerical Support Workers			8,293	1.61
Managers			2,918	0.57
Skilled Agricultural, Forestry and Fishery Workers			1,262	0.24
Armed Forces Occupations			5	0.00
Others (Not Elsewhere Classified)			26,628	5.17
Total-New Hires			515,217	100.00

Using International Standard Classification of Occupations 2008 (ISCO 08)



Deployment, 2015

- new hires in reclassified 2015 data under ISCO 2008 show that services is still the leading generator of jobs for overseas
- domestic housekeepers still holds the top spot for new-hire deployment
- laborers in the manufacturing sector is the second largest group of deployment
- while 'professional nurses' is the 3rd largest occupation deployed



Deployment, 2015

Deployed Overseas Filipino Workers by Skills - New Hires Y2015 (Preliminary Data) - ISCO 2008 Classification

	Grand Total	423,941
	Skills	New Hire Deployment
1.	Domestic housekeepers	171,182
2.	Manufacturing labourers not elsewhere classified	33,923
3.	Nursing Professionals	18,581
4.	Waiters	15,946
5.	Cleaners and helpers in offices, hotels and other establishments	12,556
6.	Home-based personal care workers	8,544
7.	Welders and flamecutters	7,103
8.	Civil engineering labourers	6,162
9.	Plumbers and pipe fitters	5,667
10.	Building construction labourers	5,204



Deployment, 2015

Deployed Overseas Filipino Workers by Skills - New Hires Y2015 (Preliminary Data) - ISCO 2008 Classification

	Grand Total	423,941
	Skills	New Hire Deployment
11.	Building and related electricians	4,885
12.	Cooks	4,322
13.	Mechanical Engineering Technicians	4,128
14.	Assemblers not elsewhere classified	3,997
15.	Carpenters and joiners	3,629
16.	Health care assistants	3,461
17.	Structural-metal preparers and erectors	3,028
18.	Motor vehicle mechanics and repairers	2,978
19.	Stall and market salespersons	2,904
20.	Stationary plant and machine operators not elsewhere classified	2,804



Pathways to Labor Mobility

- overseas employment;
- mode 4 of trade in services (movement of natural persons); and
- alternative modes of entry including working holiday scheme, cultural exchange and education or training exchanges.



Entry of labor/service providers through the said pathways are managed/rules-based:



**governed by domestic regulations
(immigration, labor, etc.)**



competency or qualifications-based



Legal Basis of the OE Pathway (Market Access)

Republic Act 8042, or the Migrant Overseas and Migrant Filipino Act of 1995, as amended by RA 10022

Sec. 4 Deployment of Migrant Workers

“The State shall allow the deployment of overseas Filipino workers only in countries where the rights of Filipino migrant workers are protected. The government recognizes any of the following as a guarantee on the part of the receiving country for the protection of the rights of overseas Filipino workers:

- (a) It has existing labor and social laws protecting the rights of workers, including migrant workers;



Legal Basis of the OE Pathway (Market Access)

- (b) It is a signatory to and/or a ratifier of multilateral conventions, declarations or resolutions relating to the protection of workers, including migrant workers; and
 - (c) It has concluded a bilateral agreement or arrangement with the government on the protection of the rights of overseas Filipino workers.
-
- Provided, That the receiving country is taking positive, concrete measures to protect the rights of migrant workers in furtherance of any of the guarantees under subparagraphs (a), (b), and (c) hereof



Legal Basis of the OE Pathway (Market Access)

- “The State shall also allow the deployment of overseas Filipino workers to vessels navigating the foreign seas or to installations located offshore or on high seas whose owners/employers are compliant with international laws and standards that protect the rights of migrant workers.
- “The State shall likewise allow the deployment of overseas Filipino workers to companies and contractors with international operations: Provided, That they are compliant with standards, conditions and requirements, as embodied in the employment contracts prescribed by the POEA and in accordance with internationally-accepted standards.”



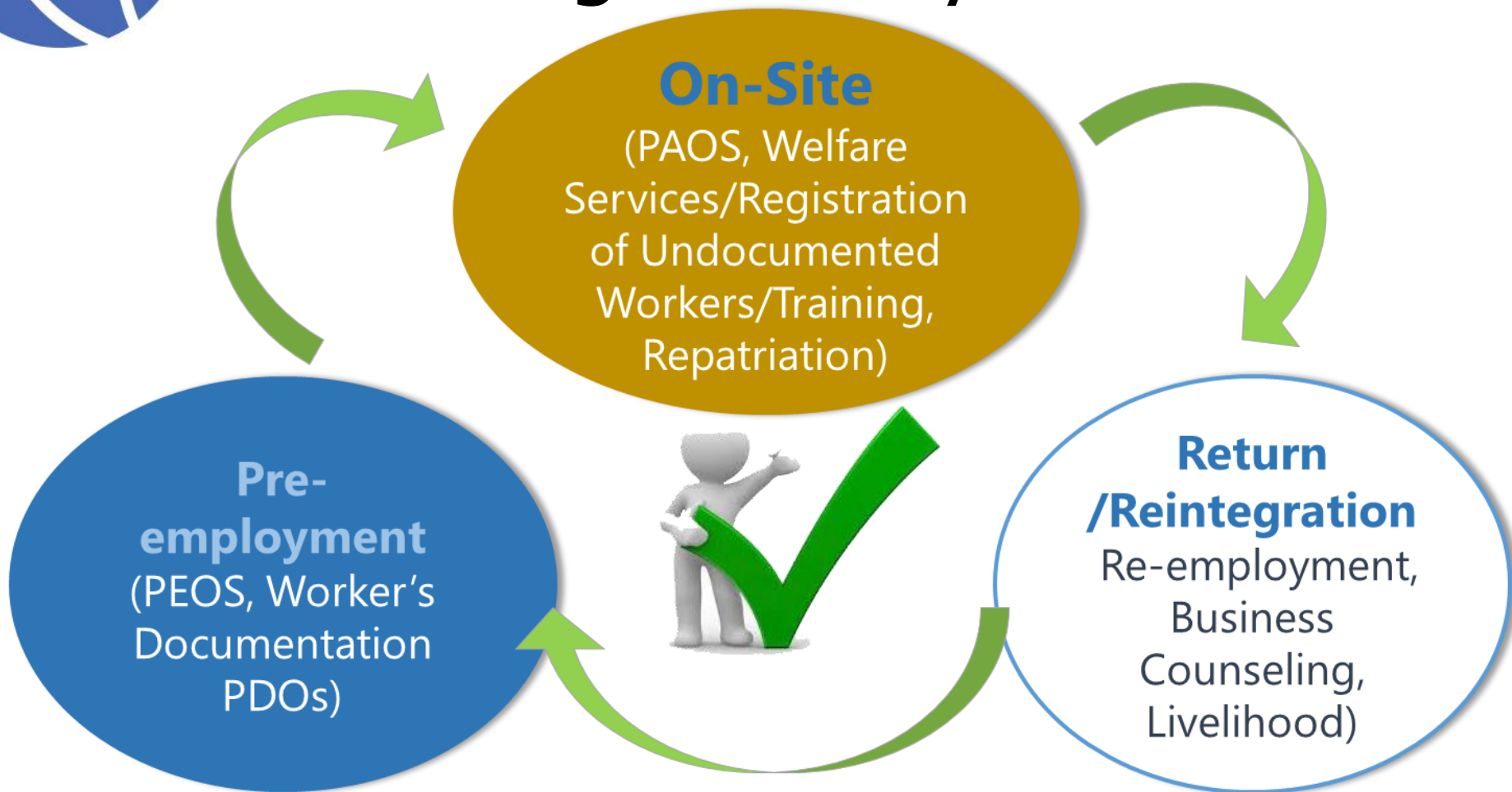
Legal Basis of the OE Pathway (Market Restrictions)

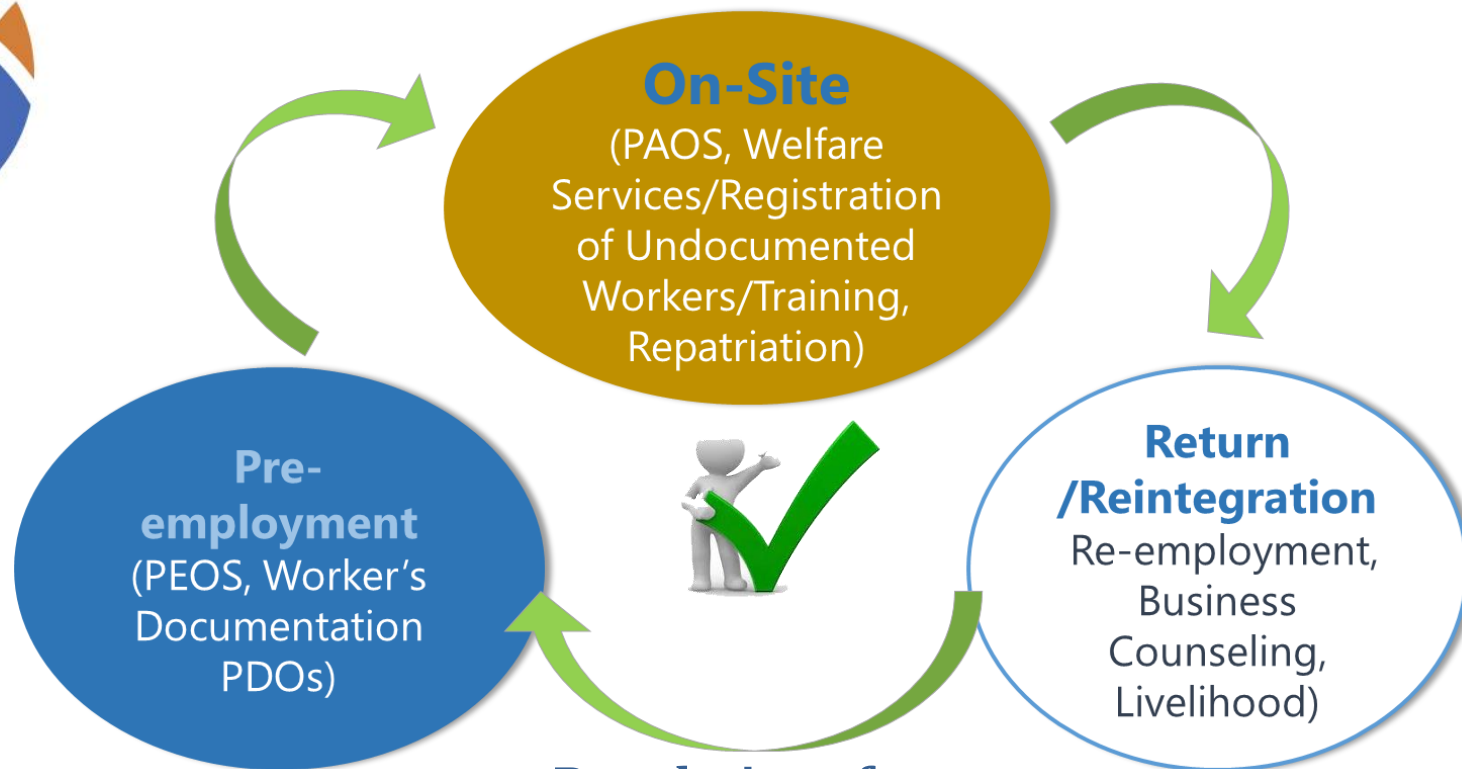
- Sec. 5

Termination or Ban on Deployment. – Notwithstanding the provisions of Section 4 hereof, in pursuit of the national interest or when public welfare so requires, the POEA Governing Board, after consultation with the Department of Foreign Affairs, may, at any time, terminate or impose a ban on the deployment of migrant workers.”



The Philippine Labor Migration Management System





Regulations for:

- **Workers Documentation**
 - **Recruitment Agency Licensing System**
 - **Accreditation System for Foreign Employers**
- **Standard Working Conditions, Human Resource Development & Protective Mechanisms**
 - **Worker Skills Retooling/Upgrading**
 - **On-Site Enforcement of Standards**



The Labor Migration Management System Focuses on **Employment**

- Employment contracts define and govern the conditions of the parties
- There is a worker
- There is an accountable employer
- There are means for redress
- Social and labor policies apply in the relationship of the party





Role of BLAs in the Labor Migration Management System

- Since the 80s, the Philippines has entered into BLAs with labor host countries to facilitate the smooth and safe recruitment and employment, and promote the protection of the rights and welfare of overseas Filipino workers
- Migrant Workers and Overseas Filipinos Act (1995), further amended by RA 10022 in 2010: adopted selective deployment policy; underscored the importance of BLAs with labor receiving countries (CODs) in managing labor migration



Role of BLAs in the Labor Migration Management System

- Memorandum of Understanding or Memorandum of Agreements embody mutual commitments with CODs for cooperative efforts, shared responsibilities and mutuality of benefits on foreign labor and employment
- BLAs Cover cooperation on recruitment, deployment, employment, human resource development, labor market information sharing, recognition of qualifications/certifications, workers' right and welfare protection



Provisions of BLAs

- Definitions – usually defines the terminologies used in the agreement i.e., worker, employer, employment contract, recruitment agency, authorities
- Purpose of the agreement
- Areas of Cooperation
- Procedures in the selection and deployment of workers
- Duties and responsibilities of both countries
- Cost of recruitment
- Protection of workers
- Training and human resource development
- Establishment of joint working committees
- Recognition of qualifications / certifications
- Monitoring and assessment of implementation of the agreement
- Validity, entry into force, amendments



Prescribed Minimum Conditions of Employment in Standard Employment Contracts

- Guaranteed wages for regular working hours and overtime pay,
 - not lower than the prescribed minimum wage in the host country,
 - or not lower than the appropriate minimum wage standards set forth in a bilateral agreement or international convention, if applicable,
 - or not lower than the minimum wage in the country, whichever is highest;



Prescribed Minimum Conditions of Employment in Standard Employment Contracts

- Free transportation to and from the work site or offsetting benefit (monetary equivalent);
- Free food and accommodation, or offsetting benefit (monetary equivalent)
- Just/authorized causes for termination of contract or of the service of the worker, taking into consideration the customs, traditions, mores, practices, company policies and the labor laws and social legislation of the host country.
- Repatriation of OFWs under Section 23 of RA 10022



BLAs Signed in 2015

- MOU with Canadian Center for Occupational Health and Safety - aims to provide better working conditions for Filipino workers in Canada through technical cooperation in occupational safety and health
- MOU with Canada (British Columbia) - cooperation on recruitment and deployment of workers, and human resource development
- Arrangement on the Principles and Controls on the Recruitment and Protection of Filipino Workers in New Zealand – provides for the legal and ethical recruitment, deployment and employment as well as the protection of the rights and welfare of Filipino workers in New Zealand



Other Arrangements

- PH – EFTA Free Trade Agreement 2015 Annex on Maritime Services
- MOU between the POEA & the Japan International Corporation of Welfare Services on the Deployment & Acceptance Filipino Candidates for Nurses & Careworkers (2009) - defined the process of selection, training, deployment and employment of Filipino nurses and careworkers in Japan



Other Arrangements

- Taiwan International Direct E-recruitment System (IDES) – an online government-to-government recruitment and hiring arrangement between Philippines and Taiwan (2015)
- Korea Employment Permit System (EPS) – an online government-to-government recruitment and hiring arrangement between Philippines and Korea (2005)



Challenges in OE Pathway and Limitations of BLAs

Forging of Agreements

- Negotiations take time, and may be vulnerable to changes in government leadership, social and political conditions
- Some agreements are non-binding, and hence are hard to enforce
- Enforcement/ implementation of agreements
- Hesitation/delay/ lack of interest of labor receiving countries to enter into BLAs



Challenges in OE Pathway and Limitations of BLAs

Problems Encountered by OFWs

- recruitment Malpractices
- overcharging of recruitment fees
- misrepresentation
- falsified documents
- illegal recruitment and human trafficking



Challenges in OE Pathway and Limitations of BLAs

On-site Employment Related Problems

- enforcement of contracts
- contract violations/substitution
- maltreatment
- confiscation of passports and travel documents
- violation of host country laws and regulations
- downgrading of salaries
- restrictive immigration policies in host countries
- lack of cooperation of host countries in enforcing labor standards



Challenges in OE Pathway and Limitations of BLAs

Labor market situations

- Responding to demand with quantity and quality of labor supply
- Brain drain of highly qualified workers
- Emerging policies for recognition of qualifications/certification
- Immigration/ foreign labor programs in countries of destination (nationalization,

Emergency Situations On-site which pose serious threats to the life and safety of workers

- Natural calamities
- Social/political instabilities
- Health pandemics



The 8-Point Labor and Employment Agenda

- **4. to continuously strengthen protection and security of our overseas Filipino workers**

“The ultimate policy goal of President Duterte is to create an environment that will generate enough decent and adequately remunerated work for every Filipino here in our own country so that no one will have to seek overseas work as a matter of compulsion or necessity”



- **5. to bring more focus and accessibility in workers' protection and welfare programs**



Imperatives for the Protection of OFWs

- Pursuing industry-industry/ public-private partnerships to ensure decent employment and protection of workers while seeking labor market opportunities : transforming opportunities into verified/approved job offers
- Balancing interest in the allocation of trained and available human resources between local industries and that of overseas employment
 - greater mobility for professionals and highly-skilled
 - closer monitoring of mission critical skills
 - lookout for labor supply of competitive industries



Imperatives for the Protection of OFWs

- Domestic policies for the protection of workers in vulnerable occupations : domestic workers, migrant fishers, low and semi-skilled workers
- Ethical recruitment practices
- Standard contracts
- Bilateral /regional agreements
- Anti-human trafficking and anti-illegal recruitment
- Instrument to implement the Cebu (ASEAN) Declaration on Migrant Workers
- ILO Convention 189



Imperatives for Improved Market Access

- develop a policy issuance that will require OFWs' possession of appropriate license or certification prior to deployment to labor-receiving countries
- alignment of curricula with international benchmarks
- continuous worker learning, training and retaining



Ways Forward

- Engage more labor-receiving countries to enter into labor agreements
- Continuous process improvement in the management of labor migration
- Forging of BLAs with other labor-sending countries on areas of mutual interest i.e., recruitment and employment standards, protection of workers, and labor market information sharing
- Strengthen regional alliances/cooperation among labor sending countries on regional advocacies on labor migrations concerns affecting their respective migrant workers
- Participation in the process of negotiating for trade in services with a view of protecting workers in terms of **market access and national treatment**



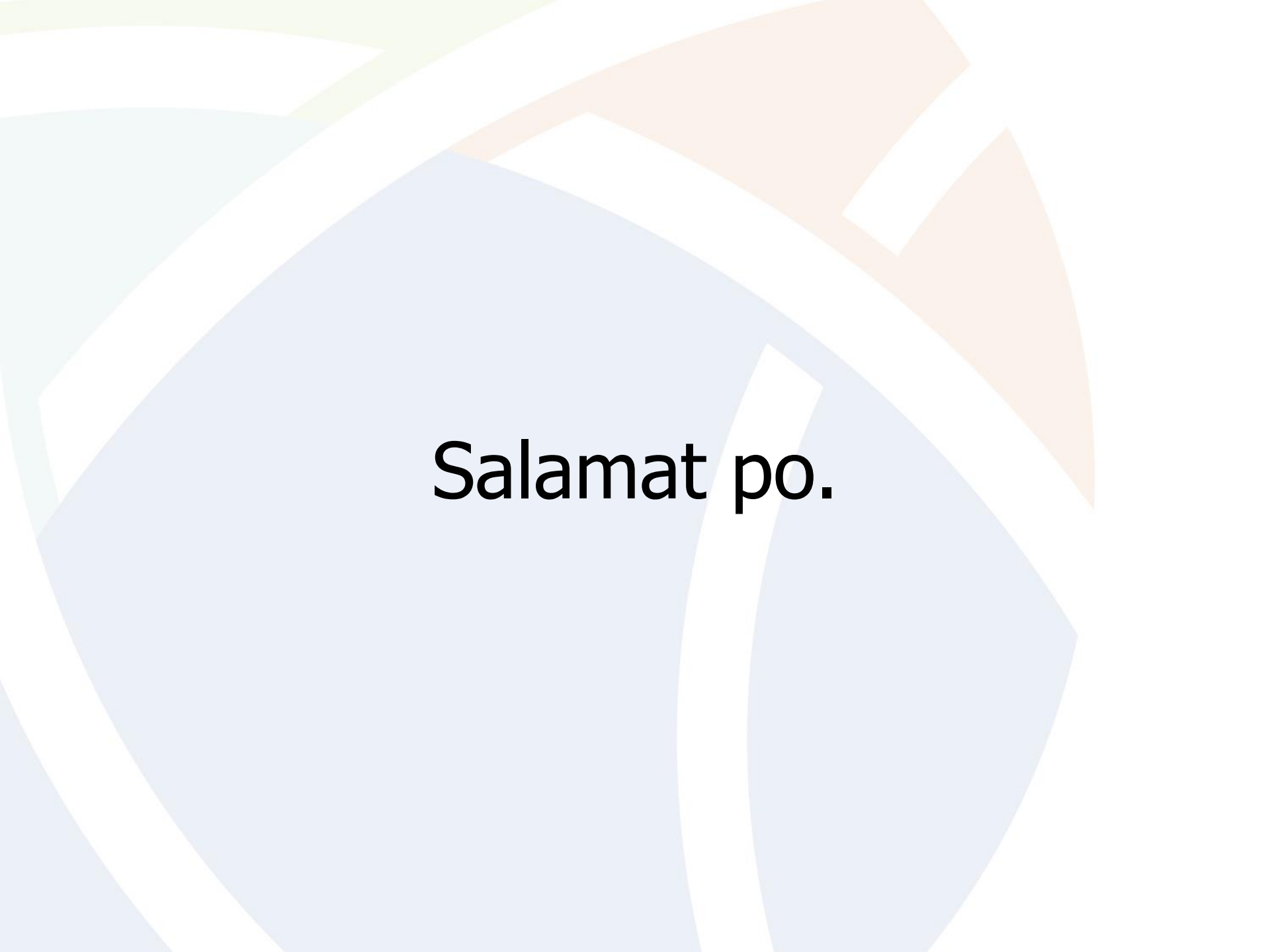
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Salamat po.