

TERMS OF REFERENCE

Development of an online Post-Arrival Orientation Seminar (PAOS) learning system

1. Background

1.1. *Philippines contextual overview*

In today's globalized economy, workers are increasingly looking for job opportunities beyond their home country, and the recruitment and employment of migrant workers is a pressing development concern that arises in large part due to the lack of employment opportunities in countries of origin. In the case of the Philippines, an estimated 10 million Filipinos live abroad and more than one million Filipino leave the country each year to work abroad.¹ Because of the long history of Filipinos looking for jobs abroad, the government has adapted to the growing need for intermediations by way of legislation and policies that uphold the rights of its citizens outside the Philippines.

While some cross-border recruitment is facilitated by social and informal networks, employers, or public employment services, private employment agencies play an increasing role in matching labour demand and supply across borders. In the cutthroat competition to capture labour markets in destination countries, private recruitment agencies (PRAs) fulfil an important role — that of bridging the gap between employers or sponsors and prospective migrants. In the case of the Philippines, PRAs have been instrumental in the labour migration policy of the government because they have served as brokers who recruit and guide migrants through the shoals of immigration policies and the difficulties of transit, match employers with workers and provide information about living and working conditions in distant locations. However, their services come at a cost.

Numerous accounts of agencies in the Philippines taking advantage of the migrants they purport to serve suggest the need for more government intervention in their operations. The amount of fees differs depending on many variables, such as the country of destination, nature of work and prospective salary. To pay recruitment and processing fees, migrants either take large loans requiring repayment at extremely high interest rates or agree to a salary deduction scheme in which the first three to five months of salary is held as payment. For example, mid-skilled Filipinos working in private companies revealed that some have taken loans at 16 per cent interest a month. At this rate, a loan of PHP 55,000 (USD 1,256) will result in PHP 33,000 (USD 754) interest a year.²

Project rationale

The ILO Integrated Programme on Fair Recruitment (FAIR Project) is committed to exploring new ideas and solutions that contribute to reducing deceptive and abusive recruitment practices. In the Philippines, the recruitment market is dominated by private recruitment agencies, which are linked to their counterpart principals or foreign placement agencies in the destination countries. A key factor in the prevention of exploitation and abuses of migrant workers is to have in place an effective information dissemination strategy.

Information dissemination should be provided at the country of origin as well as at the country of destination. Although pre-departure orientation and provision of information are essential for protecting the rights of migrant workers, they are not enough on their own. In order to reinforce

¹ ILO: *Labour migration in the Philippines*, available at: <http://www.ilo.org/manila/areasofwork/labour-migration/lang--en/index.htm>

² Agunias, 2010. *Migration's Middlemen: Regulating Recruitment Agencies in the Philippines – UAE Corridor*. MPI, DC.

the messages provided during these orientations, they should take place at every stage of the migration process including before departure, upon arrival at the destination country, and once workers return to their country of origin.

While there are efforts by the Philippine government to put in place pre-employment and pre-departure orientation to enhance OFW awareness about migration and employment in host countries, post-arrival orientation is now drawing attention as to its importance to contextualize the information dissemination strategies of the Philippine government to protect its OFW constituents.

Post-arrival Orientation seminars (PAOS) include structured orientation programmes facilitated by the Philippine embassies and consulates to OFWs upon their arrival at the destination countries. These programs may be delivered by governments, workers' organizations, employers, civil society organization, or a combination of these key stakeholders. Post-arrival orientations reinforce and contextualize pre-departure orientation training.

As a pilot migration corridor, the FAIR project is taking the Philippines-Hong Kong corridor to implement alternative and innovative information campaign strategies. The Philippine Overseas Labor Office (POLO) of the Philippine Consulate-General have been active in ensuring that the rights of Filipinos in Hong Kong are protected. As a follow-up to the PDOS, the POLO in Hong Kong had been conducting PAOS for newly-arrived Overseas Filipino Workers (OFWs). The POLO coordinates with the HK Labor Department, Assistance to Nationals (ATN) unit of the Philippine Consulate, OWWA Welfare Officer, and workers organizations/unions (specifically the Progressive Labour Union of Domestic Workers in Hong Kong, PLU) to provide information on rights, responsibilities and working conditions in the country of destination and information on the assistance that can be expected from the Philippine diplomatic mission and on personal safety and information on Filipino community activities.

Through a consultation with the Philippine Consul General and Labour Attaché in Hong Kong, the ILO received a request to support the production of a video to support the delivery of the PAOS. The *FAIR Project* will therefore commission the production of a PAOS video and documentation through high resolution photographs with detailed captions of the Post-Arrival Orientation Seminar (PAOS), administered by the Philippine Overseas Labor Office of the Philippine Consulate General (PCG) in Hong Kong, for use in enhancing better access to Hong Kong-specific rights-based information regarding domestic work and the migration cycle, and to support overall ILO promotional activities in relation to *the FAIR project* and other areas of ILO work.

Currently, these are the challenges that have been documented in the consultation with the stakeholders in Hong Kong:

- i.) Unlike the pre-departure orientation seminar (PDOS), the PAOS is not mandatory. There are POLOs in specific host countries where PAOS is conducted more regularly such as those in Singapore, South Korea and Hong Kong. Because it is not mandatory, institutionalizing the best practices of POLO, consulates and embassies may benefit other Philippine diplomatic missions where PAOS is not yet administered.
- ii.) There is no standardized content of the PAOS modules. In the Republic of Korea, the POLO conducts a 45-60 minutes PAOS on Korean labour and immigration laws; embassy and POLO programs and services in their ATN unit; emergency plans; and reintegration preparedness and returnee support programs. In Hong Kong, the content of the PAOS is almost similar to the post-

arrival briefing in Korea and Singapore, but POLO in Hong Kong allots 3 to 4 hours for this seminar which is held from Monday to Thursday.

iii.) POLO Hong Kong emphasized that it lacks the manpower and resources to accommodate huge numbers of OFWs for the PAOS. The biggest group of OFWS that they hosted for PAOS was 180 in October 2016. The POLO Community Hall can only accommodate less than 100 people, but even such a number may already be too difficult to manage and may negatively impact the effectiveness of the information dissemination objective of the PAOS.

It is in the context of these challenges and gaps in conducting the PAOS in Hong Kong that the FAIR project will develop an **online PAOS system**, which will be piloted through the Department of Labor and Employment (DOLE) -International Labor Affairs Bureau (ILAB) platform.

In July 2019, DOLE and ILO have joined forces to develop an online learning system for Overseas Filipino Workers (OFWs) in destination countries, starting in the Hong Kong Special Administrative Region, China. Secretary Silvestre Bello III of DOLE and Director Khalid Hassan of the ILO Country Office for the Philippines signed the Memorandum of Agreement on 17 July 2019 in Manila. Under the partnership, and with the support of the ILO's Integrated Programme on Fair Recruitment, DOLE and ILO have agreed to develop a Post-Arrival Orientation Seminar (PAOS) learning system, specific to the country of destination and complete with informative videos and assessment tools.

PAOS is mandatory for OFWs based on DOLE Administrative Order No. 532, series of 2018. It provides a framework to prepare OFWs towards better understanding cultural diversity and gaining information access on working and living conditions, rights and obligations, including the Philippine government's programmes and services in the country of destination.

The DOLE Administrative Order No. 532 also requires Philippine Overseas Labor Offices (POLOs) to conduct seminars for OFWs within one month from the date of their arrival. It directs Philippine labour officials to compel employers and private employment agencies to allow OFWs, especially domestic workers to attend the seminar.

"This agreement is vital to educate our OFWs on the work environment in destination countries. It is important to orient them on their work environment, including laws and cultures relevant to labour migration. They must also be informed on their rights and responsibilities as migrant workers to fully secure their welfare and maximize the benefits of working overseas for their families back home," said DOLE Secretary Bello.

While the Philippine government has implemented both pre-employment and pre-departure orientation seminars (PEOS and PDOS) to enhance OFW awareness about migration and overseas employment inclusive of recruitment processes, post-arrival orientation is now drawing much attention to its importance in designing country-specific information campaigns and dissemination strategies to protect OFWs.

"The Philippine government has taken important measures to protect the rights of Filipino migrant workers. It is crucial that information given to them is complete, starting with their rights, privileges and responsibilities up to available support and assistance in the country of destination," said ILO Director Hassan.

Filipino migrant workers may not easily find time and resources to visit the POLO, particularly in countries or regions where the Philippine labour office and its services are limited. The online

PAOS, in consultation with ILAB and its POLOs in 37 other countries of destination, will complement initiatives done at the POLO-HK by broadening the scope and relevance of PAOS.

The MOA will pilot the online PAOS in the Hong Kong Special Administrative Region, China where videos, cartoons and infographics will be produced covering topics such as employment ordinance, immigration policies, compensation ordinance, termination issues, policies and programmes of the Government of the Hong Kong Special Administrative Region Labour Department, and information on POLO in Hong Kong Special Administrative Region, China . It will also cover recruitment agency obligations; financial literacy; reintegration; Overseas Workers Welfare Administration (OWWA) programmes and services; access to law enforcement support services; Balik Manggagawa Online Processing System – Overseas employment certificate; and the Philippine Consulate General in Hong Kong, China .

The online PAOS will also provide guidance on renewing passport; managing relationship with the employer; watch-listing employers; and promoting freedom of association. An online PAOS certificate will be provided after the OFW has completed the course and has passed the online test or assessment tool.

1.2. Objectives and scope of work

- 1.2.1. To develop the online learning platform for the Hong Kong Post Arrival Orientation Seminar (PAOS);
- 1.2.2. To upload existing PAOS videos on the website as learning tools; and
- 1.2.3. To test effectiveness of the online PAOS and revise the online platform based on preliminary comments by users of the website.

2. Preparation and Implementation

The contractor shall perform the following:

- Take part in the preparatory discussion on the design of the online PAOS;
- Design the online platform;
- Develop the program of the online PAOS:
 - Upload existing PAOS videos (these have been pre-developed) on the platform;
 - fully interactive with animations, interactive buttons, and exercises with auto checking;
 - have audio, video, illustrations, photographs, and stock images;
 - must be compatible for online upload;
 - software can run offline
- Brief the staff of POLO-HK and DOLE-ILAB on the management of the online platform; and
- Share/transfer the program source code (Captive raw file) and editable files to DOLE-ILAB for future reference.

The ILO Country Office Manila shall:

- Provide technical inputs in the preparatory discussion on the outline/blueprint of the online PAOS platform;
- Provide technical support and inputs on the execution of the design and programming of the learning system; and

- Monitor and support the capacity-building of DOLE-ILAB and POLO-HK representatives on how to maintain and upgrade the online PAOS leaning system.

3. Contract outputs

3.1 Design the website for online PAOS system, develop the software program, and transfer capacity to maintain and upgrade the online learning platform within a three month period.

Key activities	Timeline	Workdays	Task reference
<ul style="list-style-type: none"> • Design the online platform 	1 st month	5 days	Task 1
<ul style="list-style-type: none"> • Develop the program and execute the design of the website 	2 nd month	10 days	Task 2
<ul style="list-style-type: none"> • Brief DOLE-ILAB and POLO-HK staff 	3 rd month	5 days	Task 3
Total:		20 work days	

3.2 Contract outputs:

3.2.1 Online PAOS website;

3.2.2 Guide manual on how to maintain, edit and publish revisions of the online PAOS system

4. Payment requirements:

Tranche	Amount	Output	Date (on or before)
First payment (30%)	USD	Draft design of the online PAOS learning system	October 2019
Second payment (40%)	USD	Presentation and testing of the online PAOS learning system; Documentation of comments by users after launch	November 2019
Final payment (30%)	USD	<ul style="list-style-type: none"> • Final website of the online PAOS learning system • DOLE-ILAB and POLO-HK briefing on system maintenance and management of the online PAOS platform 	December 2019