

## **PHILIPPINE OVERSEAS LABOR OFFICE – WASHINGTON, DC 2020 Report**

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Amidst the pandemic and even with the work from home arrangement recommended by the WDCPE since March, the Philippine Overseas Labor Office, Washington DC (POLO-WDC) has resolved to implement its programs for 2020 and deliver services barring complications and facing inherent limitations.

For the year 2020-2021, POLO-WDC has outlined the following plans, programs and activities, namely:

- A. P-romotion and protection
  - a. Institutionalization of protection mechanisms by entering into agreements with partner agencies and organizations in the campaign to address and prevent human trafficking, including labor trafficking and illegal recruitment
  - b. Standardization by formulating US specific requirements for employers and principals
  - c. Formulation of and the conduct of Post Arrival Orientation Seminars and skills enhancement trainings
  - d. Continuous dialogues with employers/principals specifically involved in the recruitment of medical professionals, workers in US Navy installations and those in the caribbean islands.
- B. Overseas mapping and database building
- C. Labor Cooperation and dialogues with host countries
- D. Others -which include holding of Filipino Migrants Day and OFW Family day

To ensure that Filipino workers deployed to the US and the Caribbean islands enjoy just terms and conditions of employment, POLO meticulously verified employment contracts ensuring that the minimum labor standards observed by both the Philippine government and host country are embodied in the contracts of employment.

While the number of verified contracts and applications and /or requests for accreditation and job order dwindled primarily because of COVID-19, POLO-WDC introduced an additional requirement for employers/principals, specifically, the submission of an affidavit of undertaking where the latter are required to:

1. Affirm that the job and position is valid and existing despite Covid-19
2. Commit to provide COVID-related emergency assistance as well as shoulder medical repatriation

The repatriation efforts jointly exerted by POLO-WDC and WDCPE in the first and second quarter have strengthened the resolve of POLO-WDC to strictly enforce repatriation provisions where “employers/principals” assume the primary responsibility of bringing our OFWs home and to intensify education drive on ethical and fair recruitment practices as well as Philippine government’s labor migration system/cycle.

Of all 756 land-based workers facilitated and assisted by the Embassy,

- a. 394 or 52 % were repatriated by their employers based on contracts verified by POLO-WDC, while 203 or 26% vacationing workers shouldered their own fare.
- b. 54 were repatriated through ATN funds because they are not members of OWWA or have no work permits
- c. 105 or 13 % were repatriated by OWWA either because the workers resigned or that employers never replied or refused to repatriate.

In the first quarter of 2020 and shortly before lockdowns and other restrictions were imposed, POLO-WDC participated in several outreach missions, touched base with Filipino community leaders and NGOs, specifically in Jamaica, Virginia Beach, Louisiana and New York. In said meetings and outreach missions, POLO-WDC focused mainly on reintroducing POLO-WDC, its mandate and its services as well as its advocacy for ethical and fair recruitment practices and against labor trafficking.

During the outreach missions, the following were gathered, to wit:

- a. In Jamaica, it was observed that majority of the Filipinos workers still continue to utilize irregular pathways, utilizing tourist visas for their initial entry. Many of these workers were recruited irregularly through referrals by friends and mostly relatives to their employers. This practice is not only common among domestic workers but also among professionals, particularly accountants. Relying heavily and solely on the referrals, employers apply for and facilitate the release of the work permits. And without thorough knowledge on the recruitment and foreign employment procedures and mechanisms of the Philippines, these same employers expect the workers to arrive and report to work in a week’s time. To avoid the “tedious” process of securing the Overseas Employment Certificates (OECs), some of these workers would often leave the Philippines as tourists THEREBY using Hongkong, Singapore and middle east

as transit countries, but which routes proved to be more expensive, not to mention more dangerous.

In all these cases where both the accreditation and verification procedures were absent, our Filipino workers became more vulnerable to all kinds of abuse. Thus, POLO's palliative response was to conduct, as it has conducted in these three islands, on site verification of employment contracts as well as conferences with employers.

- b. POLO, on the other hand, initiated meetings in New York with local and national officers of the PNAA, Damayan Migrant Workers and other Filipino groups and communities including the Davao-based Hijos de Davao to explore possibility of forging long term partnerships with the latter in promoting fair and ethical recruitment practices. POLO-WDC also maximized the invitation of PCG-NY during its national assembly of Filipino communities to brief around 102 Filipino organizations about the mandate and services of POLO.
- c. In addition, onsite inspection verification as well as meetings with Louisiana-based employers. These visits were prompted by the perennial complaints of their workers for violations of (their) contractual obligations especially on the issue of repatriation, accommodation and on termination of employment. have been left out for years.

Further to its thrust of standardizing protection and rights promotion mechanisms, with respect to the workers employed in US Navy installations, POLO-WDC , POLO-WDC advocated for an increase in minimum wage/salary of the Filipino workers across the board from \$600 to \$1275 or an increase of 100% . The increase however shall apply to new accreditation requests, new job orders as well as renewal of accreditation.

In addressing the issues raised by medical professionals, mostly nurses, regarding the onerous provisions on damages, in general and liquidated damages, in particular, POLO-WDC and the Philippine Overseas Employment Administration (POEA) initiated continuous dialogues with the Filipino and Fil-am associations of medical professionals, including the Philippine Nurses Association in America (PNAA), National Nurses United (NNU). For the entire year of 2020, POLO-WDC has successfully advocated for and caused the elimination of provisions that provide for liquidated or other forms of damages solely against the employee-medical professional in the employment contracts in the interim. Strategically, POLO-WDC aims to come up with

guidelines/standards in the employment and deployment of medical professionals in the US that are not only mutually beneficial for employees and employers but are responsive to the needs of our Filipino medical professionals.

The latter part of the first quarter until the third quarter saw POLO-WDC maximizing inherent limitations brought about by the pandemic largely utilizing social platforms. From March until November 2020, the office went full swing in its engagement with Filipino communities and the OFWs in general holding webinars and trainings at least once every month. From March to December, 29 webinars and live discussions were initiated by POLO-WDC, with an average viewership of 5,000. In addition, POLO-WDC attended 5 webinars sponsored by UNIFFIED, Filipino communities in Minnesota and 2 Filipino American Chambers of Commerce, specifically FACC-DC and FACC-Texas. These webinars, discussions and trainings focused mainly on:

- a. Recruitment procedures
- b. Issues and complaints raised by OFW
- c. Skills enhancement
- d. Reintegration of our OFWS into their communities
- e.

Finally, as POLO-WDC notes an increase in the number of complaints of violence against women and request for assistance/intervention, POLO-WDC jointly drafted the memorandum operationalizing the gender desk of the Philippine Embassy and has since participated actively in addressing the concerns of our women, including women workers. And which operationalization has been prompted by the noted increase in the number of reported cases of domestic violence or violence against women that POLO-WDC has worked on, in coordination with the Philippine Embassy in the US and the Filipino community leaders.

**A. Labor agreements and Linkages with government agencies and with the community**

In addition to the onsite verification in Louisiana, POLO met with officials of Department of Interior. Exploratory talks were done in relation to strengthening the protection of welfare and occupational safety of all foreign workers, particularly Filipino workers.

POLO also initiated meetings with US government agencies such as the US Department of Labor (US DOL) to discuss pressing labor concerns of Filipino workers, the Philippines' exclusion from the list of countries qualified to participate in the H2A and H2B visa programs, as well as exploring ways of collaboration and cooperation in combatting trafficking and addressing rates of overstay, which primarily were the reasons cited for the country's disqualification for 2 consecutive years.

Pursuant to the exploratory talks held between the governments of Cayman, and Turks and Caicos, for a Bilateral Labor Agreement (BLA), POLO drafted a framework/BLA and provided Filipino community leaders in Cayman with copy for their comments and inputs. It is POLO-WDC's belief that inputs from the Filipino community and the stakeholders themselves and their participation in the crafting shall ensure that their aspirations are reflected. While no follow-up discussions were made with the host governments because of the cancellation of all outreach missions, POLO-WDC has been in communication with these host governments during the pandemic to facilitate repatriation of our workers.

### ● Owwa Services and other special projects

As COVID19 crippled economies and caused businesses worldwide to close shop, thousands of Filipino overseas workers were either temporarily or permanently displaced. Though majority of OFWs decided to return to the Philippines, there are a number of OFWs who decided to stay, even risking personal security to wait for employment opportunities amidst the pandemic.

POLO had provided services for onsite Filipino workers in US and Caribbean islands in relation to COVID-19 specifically:

- a. Food assistance - 3,491 Filipino workers
- b. PPEs - 3,400 Filipino workers
- c. \$200 financial assistance for Covid19 infected - 64 Filipino workers
  
- d. Repatriation assistance
  - i. Landbased - 756 Filipino workers
  - ii. Seabased - 18,403 crew members
  
- e. DOLE -AKAP -2,736 approved applications

Covid19 did not prevent POLO-WDC from celebrating Migrant Workers Day in June and the OFW Family's day in December. Recognizing the staggering effects of COVID 19 on the health and livelihood of our workers, POLO-WDC sponsored two webinars (in partnership with the Office of the Agricultural Attache and UGAT) on Reintegration, giving emphasis on the strategic benefits of the reintegration programs of the Philippine government and one webinar on Mental Health.

In December, POLO-WDC celebrated OFW Family's Day by holding the Kantata sa Embahada. It can be recalled that the Kantata sa Embahada was launched in 2020 , as POLO-WDC'S alternative festive version of the annual OFW Family Day celebration. Unlike in 2019, POLO-WDC was also able to mobilize participants and families in the Caribbean islands with around \_\_\_ participating entries this year.

**In sum, the participation and cooperation of the OFWS and the Filipino communities in the United States and the Caribbean Islands has been the key, indispensable component in the effective implementation of POLO-WDC's plans, programs and activities for 2020. Such participation has been precipitated largely by POLO-WDC's efforts to empower them through sustained education and information activities as well as constant consultations on anything and everything that concerns them. In addition, POLO-WDC maximized social media platforms to provide them with relevant and updated information concerning labor and employment. The same platforms served as well spring of creative thoughts from our Kababayans through their comments and criticisms.**

**For the year 2021, apart from working towards an effective and swift deliver of its services, POLO-WDC resolves to enrich its engagement not only with Filipino community leaders and personalities but with the general membership as well. It shall continue its thrust of standardizing and institutionalizing protection mechanisms especially in the Caribbean Islands by pursuing bilateral agreements/memoranda of understanding or laying the groundwork for the latter, at the least.**

**Through all these, POLO-WDC hopes to provide our Overseas Filipino Workers in the United States and the Caribbean islands a secure work environment and assure them of the Philippine Government's commitment to protect and promote their collective rights and welfare, wherever they may be.**