



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on March 18, 2011 at Lingayen, Pangasinan, the following provincial ordinance was approved:

Authored by Vice Governor Jose Ferdinand Z. Calimlim, Jr., SP Members Ranjit R. Shahani and Von Mark R. Mendoza and co-authored by all Sangguniang Panlalawigan Members

PROVINCIAL ORDINANCE NO. 149-2011

AN ORDINANCE FOR THE ESTABLISHMENT OF A PANGASINAN OVERSEAS FILIPINO WORKERS' (OFW) DESK

EXPLANATORY NOTE

WHEREAS, more than eight million Overseas Filipino Workers can now be found in 193 countries even in the war-torn areas of Iraq, Israel and Lebanon. Among them, 3.6 million are migrant workers, 3.2 million are permanent residents and 1.3 million are undocumented. More than half of these OFWs are women. Most of the jobs available to OFWs are difficult, dirty and dangerous especially in the construction work, domestic service, nursing and caring institutions, entertainment industry and factories. They are often vulnerable to abuses, exploitation and violation of human rights as reported by international labor surveys and reports. More than 15 million families are affected by overseas work. They are forced to endure long period of separation, oftentimes putting them in vulnerable situations including broken homes and erosion of cultural values. These happen largely because of the lack of awareness about overseas work as well as lack of protection on the part of concerned government agencies;

WHEREAS, thousands of Pangasinenses travel to work abroad, some with uncertainties of what will they encounter, while others are haunted by said experiences and injustices like unpaid salaries, physical and psychological abuses, undue confinement, confiscation of passports and sexual abuses. The work that was expected by them is usually different from what they were assured by the recruiter. On the part of the government, there is a policy of deregulation on recruitment activities and the phasing out of their regulatory functions. The said policy, which states that the migration of workers becomes strictly a matter between the worker and his foreign employer, is likely to have inimical effects on



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the OFWs. Without the government's protective measures against unscrupulous employment agencies, it is foreseen that cases of abuses and exploitation will continue;

WHEREAS, with the worsening local economic condition comes the inevitable continuous migration of a growing number of Pangasinenses for overseas employment and the problems that result from such undertaking is a very relevant issue that is worthy of serious consideration. As a response, the establishment of an Overseas Filipino Workers' Desk is a very concrete solution. It will be a service-oriented, Pangasinan-based desk that will address the immediate and medium-term concerns or needs of the Overseas Filipino Workers and returnees as well as that of their families. As far as possible, the assistance will start from pre-departure and extending it while they are on the job site in their country of destination up to the time they have returned home for reintegration to society. There is an imperative need to come up with a database of Overseas Filipino Workers from Pangasinan for the center's primary concern;

WHEREFORE, in view of the foregoing, on motion of Vice Governor Jose Ferdinand Z. Calimlim, Jr., SP Members Ranjit R. Shahani and Von Mark R. Mendoza, and co-authored by all Sangguniang Panlalawigan Members, duly seconded, be it enacted by the Sangguniang Panlalawigan of Pangasinan, in session assembled that:

SECTION 1. TITLE. The proposed ordinance shall be known as the "Establishment of a Pangasinan Overseas Filipino Workers' (OFW) Desk."

SECTION 2. DEFINITION OF TERMS

- a) **Overseas Filipino Workers or Migrant Workers** – those who are to be engaged, are engaged or have been engaged in a remunerated activity in a State of which they are not legal residents.
- b) **Overseas Filipino in Distress** – those who have valid medical psychological or legal assistance, problems requiring treatment, hospitalization, counseling, legal representation or any kind of intervention with the authorities in the country where they are found.
- c) **Documented Overseas Filipino Workers or Migrant Workers** –
 - 1) Those who possess valid passports and visas for permits to stay in the host country and whose contract of employment have been processed by the Philippine Overseas Employment Administration (POEA), if required by law or regulations; or
 - 2) Those registered by the migrant workers and other Overseas Filipinos Research Centers or by the Philippine Embassy;



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- d) **Legal Assistance** – includes in appropriate cases, giving legal advice, active participation in litigation whenever allowed under local laws, hiring of private lawyers, documentation assistance, payment of bail bonds, court fees and other litigation expenses.
- e) **Skilled Workers** – those who have obtained an academic degree or sufficient training or experience in the job for which they had applied for.
- f) **Employment Agency** – any person, partnership or corporation duly licensed by the Department of Labor and Employment to engage in the recruitment and placement of workers for overseas employment for a fee which is charged, directly or indirectly, from the workers or employees of both.

SECTION 3. OBJECTIVES:

- a) As a general objective, to alleviate the sad plight of the Overseas Filipino Workers and their families from the Province of Pangasinan, by providing them assistance from pre-departure to the country of destination and returning home;
- b) To provide psycho-social services to Pangasinan Overseas Filipino Workers in distress and their family members;
- c) To promote and advocate for the Pangasinan Overseas Filipino Workers' rights and welfare;
- d) To promote reintegration program to Overseas Filipino Worker returnees;
- e) To disseminate public information and raise the level of awareness on the advantages and disadvantages of overseas employment; *and*
- f) To promote a gender-sensitive orientation in providing assistance especially to Women Overseas Filipino Workers.

SECTION 4. THE PROGRAMS, SERVICES AND ACTIVITIES OF THE PANGASINAN OVERSEAS FILIPINO WORKERS' DESK.

- a) Create an information system of Overseas Filipino Workers and skilled Filipino migrant workers from Pangasinan, the data base shall include, but not limited to, the following information:
 - i) A masterlist of documented Overseas Filipino Workers' from the Province of Pangasinan classified according to occupation, job category, civil status, by country/state of destination, including visa classification and to what employment agency they are connected;



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- ii) Inventory of Pangasinenses who are Overseas Filipino Workers in Distress and pending legal cases involving OFWs from Pangasinan including those serving prison terms;
 - iii) Masterlist of departing/arriving OFWs from Pangasinan; *and*
 - iv) Statistical profile on Overseas Filipino Workers from the Province of Pangasinan.
-
- b) Formulate linking of computer facilities in order to allow free flow data exchanges and sharing among concerned agencies such as the Department of Foreign Affairs, the Commission on Filipino Overseas, the Department of Labor and Employment, the Philippine Overseas Employment Administration, the Overseas Workers Welfare Administration and others;
 - c) Provide a public information and advocacy program on the OFW from Pangasinan thru a publication of a regular newsletter;
 - d) Provide updates and information dissemination on labor and employment conditions, migration realities and other facts on Overseas Filipino Workers from the Province of Pangasinan;
 - e) Assist Overseas Filipino Worker returnees for their reintegration into Philippine society and re-placement opportunities with the appropriate private and government agencies;
 - f) Provide psycho-social welfare services to the families of OFW and OFW returnees;
 - g) Organize Overseas Filipino Workers and their families to form an association at a provincial level; *and*
 - h) Conduct seminars, fora and conferences on OFW/Migrant Filipino Workers situation, facilitate alternative livelihood projects, capability building and skills training to OFWs and their families.

SECTION 5. TECHNICAL STAFF. – The Pangasinan Overseas Filipino Workers' Desk shall be established under the Office of the Provincial Governor.

The Provincial Employment Services Office (PESO) shall serve as the Technical Staff. Other offices of the provincial government may be tasked to render services within their competence upon directive by the Provincial Governor.



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SECTION 6. APPROPRIATION. – There is hereby appropriated the initial amount of One Hundred Thousand (P100,000.00) Pesos from any savings and/or unappropriated funds of the Province, subject to the final approval by the Provincial Governor.

SECTION 7. EFFECTIVITY CLAUSE. – This Ordinance shall take effect within thirty (30) days from its approval.

SP MEMBER JEREMY AGERICO B. ROSARIO
Sangguniang Panlalawigan Member
(Presiding Officer Pro Tempore)

ANGEL G. BANIQUED
Sangguniang Panlalawigan Member
(Majority Floor Leader)

VON MARK R. MENDOZA
Sangguniang Panlalawigan Member
(Assistant Majority Floor Leader)

NAPOLÉON C. FONTELERA, JR.
Sangguniang Panlalawigan Member

(Absent)

TEOFILO G. HUMILDE, JR.
Sangguniang Panlalawigan Member

RAUL P. SISON
Sangguniang Panlalawigan Member

GENEROSO D. TULAGAN, JR.
Sangguniang Panlalawigan Member

MOJAMITO R. LIBUNAO, JR.
Sangguniang Panlalawigan Member

CLEMENTE B. ARBOLEDA, JR.
Sangguniang Panlalawigan Member

DANILO C. UY
Sangguniang Panlalawigan Member

RANJIT R. SHAHANI
Sangguniang Panlalawigan Member

ALFONSO C. BINCE, JR.
Sangguniang Panlalawigan Member

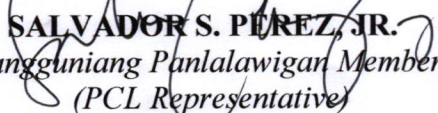



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~~(On Official Business)~~
AMADEO T. ESPINO
Sangguniang Panlalawigan Member
(Liga ng mga Barangay Representative)


SALVADOR S. PEREZ, JR.
Sangguniang Panlalawigan Member
(PCL Representative)

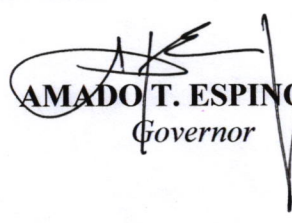

JOHN CHRISTOPHER A. ARCINUE
Sangguniang Panlalawigan Member
(SK Representative)


ATTY. VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


VICE GOVERNOR JOSE HERDINAND Z. CALIMLIM, JR.
Presiding Officer

APPROVED:


AMADO T. ESPINO, JR.
Governor