

8 SEP 23 11:04

SENATE
P.S. RES. NO. 665

RECEIVED BY: AB

Introduced by Sen. M. A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEES ON LABOR, EMPLOYMENT AND HUMAN RESOURCE DEVELOPMENT AND ON FOREIGN RELATIONS TO INVESTIGATE, IN AID OF LEGISLATION, THE ONEROUS UNIFIED CONTRACT SCHEME BEING UNILATERALLY IMPOSED FOR IMPLEMENTATION BY THE SAUDI NATIONAL RECRUITMENT COMMITTEE (SANARCOM) ON THE PHILIPPINES, WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATIVE MEASURES TO PROTECT FILIPINO CONTRACT WORKERS

WHEREAS the Kingdom of Saudi Arabia (KSA) is the prime destination of Filipino overseas contract workers, with an average of 190,000 Filipinos deployed every year, according to the Philippine Overseas Employment Agency (POEA);

WHEREAS the Saudi National Recruitment Committee (SANARCOM), a private group of recruiters in KSA, is actively pursuing the adoption and implementation of the "Unified Contract" for Filipino contract workers, formally called the Recruitment and Manpower Development Cooperation Contract;

WHEREAS due to opposition from many Asian countries exporting labor to Saudi Arabia, the implementation of the Unified Contract was deferred by the Saudi government until the end of Ramadan on 1 October 2008;

WHEREAS the Philippine Association of Service Exporters, Incorporated (PASEI), the country's largest land-based overseas employment association, has demanded the total and complete rejection of the Unified Contract scheme which it decries as a form of "modern day slavery";

WHEREAS while Philippine recruitment agencies currently deal directly with Saudi employers, the creation of the SANARCOM would effectively "cartelize" the labor market in Saudi Arabia and result in OFWs paying excessively high placement fees and receiving lesser protection;

WHEREAS Migrante International, the largest alliance of Filipino migrant organizations, has likewise called for the rejection of the Unified Contract as it will cause the "legalized" abuse of Filipino contract workers because its provisions

violate Philippine recruitment laws and are contrary to the best interest and welfare of Filipino contract workers;

WHEREAS the Unified Contract will legalize "contract substitution" and void POEA-approved contracts by virtue of Article 8 which states that "the work contract in force is the one presented by the second party (approved in the Kingdom) in his capacity as the employer's representative;"

WHEREAS Republic Act 8042 or the Migrant Workers and Overseas Filipinos Act of 1995 mandates that the Philippine government shall pursue a bilateral agreement or arrangement with foreign governments for protecting the rights of overseas Filipino workers as a basis for deployment of workers in the specified country;

WHEREAS the implementation of the Unified Contract would negate the objectives and purpose of R.A. 8042 and the constitutional protections guaranteed to Filipino labor;

WHEREAS the Philippine government must assert, by every diplomatic and legal means available, its intent to fully protect its overseas workers from onerous policies;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the Committees on Labor, Employment, and Human Resource Development and on Foreign Relations to conduct an investigation, in aid of legislation, on the onerous Unified Contract scheme being unilaterally imposed by the Saudi National Recruitment Committee on the Philippines, with the end in view of enacting remedial legislative measures to protect Filipino contract workers.

Adopted,


M. A. MADRIGAL