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## **EXECUTIVE ORDER NO. 247**

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### **REORGANIZING THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION AND FOR OTHER PURPOSES**

WHEREAS, Executive Order No. 5 (1986), provides that the necessary and proper changes in the organizational and functional structures of the government, its agencies and instrumentalities need to be effected to promote efficiency and effectiveness in the delivery of public services;

WHEREAS, it has become necessary to institute changes in the functional structure of the Philippine Overseas Employment Administration in order to enhance its effectiveness in responding to changing market and economic conditions and to the call of the national development plan for the strengthening of the worker protection and regulation components of the overseas employment program; and

WHEREAS, the Philippine Overseas Employment Administration has to systematize its operations by rationalizing its functions, structure and organization to make it more efficient in undertaking its principal function of formulating and implementing a systematic program for promoting and monitoring the overseas employment of Filipino workers and for protecting their rights to fair and equitable employment practices, and in order that it may respond more effectively to the new demands for more meaningful welfare services to workers, better protection of their rights, more efficient adjudication of cases and more efficient manpower delivery system.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the sovereign will of the Filipino people and the Constitution, do hereby order:

SECTION 1. Title. — This Executive Order shall otherwise be known as the Reorganization Act of the Philippine Overseas Employment Administration.

SECTION 2. Reorganization. — The Philippine Overseas Employment Administration hereinafter referred to as the Administration is hereby reorganized, structurally and functionally in accordance with the provisions of the Executive Order.

SECTION 3. Powers and Functions. — In the pursuit of its mandate, the Administration shall have the following powers and functions:

- (a) Regulate private sector participation in the recruitment and overseas placement of workers by setting up a licensing and registration system;
- (b) Formulate and implement, in coordination with appropriate entities concerned, when necessary, a system for promoting and monitoring the overseas employment of Filipino workers taking into consideration their welfare and the domestic manpower requirements;
- (c) Protect the rights of Filipino workers for overseas employment to fair and equitable recruitment and employment practices and ensure their welfare;
- (d) Exercise original and exclusive jurisdiction to hear and decide all claims arising out of an employer-employee relationship or by virtue of any law or contract involving Filipino workers for overseas employment including the disciplinary cases; and all pre-employment cases which are administrative in character involving or arising out of violation of requirement laws, rules and regulations including money claims arising therefrom, or violations of the conditions for issuance of license or authority to recruit workers.

All prohibited recruitment activities and practices which are penal in character as enumerated and defined under and by virtue of existing laws, shall be prosecuted in the regular courts in close coordination with the appropriate Departments and agencies concerned;

- (e) Maintain a registry of skills for overseas placements;
- (f) Recruit and place workers to service the requirement for trained and competent Filipino workers by foreign governments and their instrumentalities and such other employers as public interest may require;
- (g) Promote the development of skills and careful selection of Filipino workers for overseas employment;
- (h) Undertake overseas market development activities for placement of Filipino workers;
- (i) Secure the best terms and conditions of employment of Filipino contract workers and ensure compliance therewith;
- (j) Promote and protect the well-being of Filipino workers overseas;
- (k) Develop and implement programs for the effective monitoring of returning contract workers, promoting their re-training and re-employment or their smooth re-integration into the mainstream of national economy in coordination with other government agencies;
- (l) Institute a system for ensuring fair and speedy disposition of cases involving violation of recruitment rules and regulations as well as violation of terms and conditions of overseas employment;
- (m) Establish a system for speedy and efficient enforcement of decisions laid down through the exercise of its adjudicatory function;
- (n) Establish and maintain close relationship and enter into joint projects with the Department of Foreign Affairs, Philippine Tourism Authority, Manila International Airport Authority, Department of Justice, Department of Budget and Management and other relevant

government entities, in the pursuit of its objectives. The Administration shall also establish and maintain joint projects with private organizations, domestic or foreign, in the furtherance of its objectives.

SECTION 4. Structural Organization. — The Administration shall consist of the Governing Board, the Office of the Administrator, the Offices of such number of Deputy Administrators as may be necessary, Office of the Director for each of the principal subdivisions of its internal structure.

(a) The Governing Board shall be composed of the Secretary of Labor and Employment as Chairman, the Administrator and a third member, considered well-versed in the field of overseas employment who shall be appointed by the President to serve for a term of two (2) years;

(b) The Administrator and such Deputy Administrator and Directors as may be necessary shall be appointed by the President upon the recommendation of the Secretary;

(c) The functional structure of the Administration shall be established along the areas of: market development, employment, welfare, licensing, regulation and adjudication. Each of the principal substantive subdivisions of the Administration shall be headed by a Director and shall have such departments and units as may be necessary.

SECTION 5. Regional Extension Units. — The Administration is hereby authorized to set up regional extension units in such regions as the Governing Board may determine to be necessary to promote efficient and economic delivery of its services. The regional extension units shall be under the administrative supervision of the Labor Regional Director. It shall have, among others, the following functions:

(a) Execute the policies, plans and programs of the Administration in the regions outside of the Metro Manila area;

- (b) Coordinate with local government officials on the matter of implementation of the Administration's program on overseas employment;
- (c) Advise the central office on the needs of the region for particular welfare and regulatory programs;
- (d) Establish linkages with other allied government agencies in the pursuance of the objectives of the overseas employment program;
- (e) Coordinate the anti-illegal recruitment campaign in the regions;
- (f) Perform other functions as the Administration may deem necessary.

SECTION 6. New Structure and Pattern. — Upon approval of this Executive Order, the officers and employees of the Philippine Overseas Employment Administration shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service. The new structure and staffing pattern for the Philippine Overseas Employment Administration shall be approved and prescribed by the Secretary of the Department of Labor and Employment, within one hundred twenty (120) days from the approval of this Executive Order and the authorized positions created thereunder shall be filled with regular appointments by the Secretary of the Department of Labor and Employment or the President as the case may be. These incumbents whose positions are not included therein or who are not reappointed shall be deemed separated from the service. Those separated from the service shall receive the retirement benefits to which they may be entitled under existing laws, rules and regulations. Otherwise, they shall be paid the equivalent one-month salary for every year of service, or fraction thereof, computed on the basis of the highest salary received, but in no case shall such payment exceed the equivalent of twelve (12) months salary.

SECTION 7. Prohibition Against the Organizational Change. — No change in the reorganization herein prescribed shall be valid except upon approval of the President for the purpose of promoting

efficiency and effectiveness in the delivery of public service.

SECTION 8. Funding. — Funds needed to carry out the provisions of this Executive Order shall be taken from funds available in the Administration.

SECTION 9. Implementing Authority of Secretary. — The Secretary shall issue such rules, regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SECTION 10. Separability Clause. — Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions that can still subsist and be given effect in their entirety.

SECTION 11. Repealing Clause. — All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 12. Effectivity. — This Executive Order shall take effect immediately.

***APPROVED in the City of Manila, Philippines, this 24<sup>th</sup> day of July in the year of Our Lord, nineteen hundred and eighty-seven.***