

**[ EXECUTIVE ORDER NO. 797, May 01, 1982 ]**

**REORGANIZING THE MINISTRY OF LABOR AND EMPLOYMENT,  
CREATING THE PHILIPPINE OVERSEAS EMPLOYMENT  
ADMINISTRATION, AND FOR OTHER PURPOSES**

WHEREAS, under the New Republic, national economic development shall be pursued with renewed vigor and greater determination;

WHEREAS, the attainment of national goals is contingent among others on the development of employment opportunities, the protection of workers, and the promotion of industrial peace;

WHEREAS, recent local and international developments have imposed new demands and challenges on the existing delivery system for labor and labor-related services;

WHEREAS, under Presidential Decree No. 1416 as amended, the President is empowered to undertake such organizational and related improvements as may be appropriate in the light of changing circumstances and new developments.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and the authority vested in me by Presidential Decree No. 1416 as amended, do hereby order and ordain:

SECTION 1. The Ministry of Labor and Employment, hereinafter referred to as the Ministry, shall be the primary policy, programming, coordinating and administrative entity of the executive branch of the government in the field of labor and employment. The primary function of the Ministry shall be the development of employment opportunities, the protection of workers, and the promotion of industrial peace.

SECTION 2. The authority and responsibility for the exercise of the powers and the discharge of the functions of the Ministry shall be vested in the Minister of Labor and Employment, hereinafter referred to as the Minister, who shall be appointed by the President. He shall be assisted by such Deputy Ministers as may be appointed by the President. The Minister is authorized to determine and assign the respective functional areas of responsibility of the Deputy Ministers, should there be more than one; provided, That such delineation of responsibilities shall cover the substantive functions and operations of the Ministry; and provided, further, that no Deputy Minister shall be assigned primarily administrative responsibilities.

SECTION 3. There is hereby created a Bureau of Local Employment, which shall assume the functions of the Bureau of Apprenticeship and the domestic employment functions of the Bureau of Employment Services, and which shall absorb applicable functions, appropriations, records, equipment, property, and such personnel as may be necessary of the abolished units.

SECTION 4. There is hereby created a Philippine Overseas Employment Administration, hereinafter referred to as the Administration, which shall assume the functions of the Overseas Employment Development Board, the National Seamen Board, and the overseas employment functions of the Bureau of Employment Services; which shall absorb the applicable functions, appropriations, records, equipment, property, and such personnel as may be necessary of the abolished units; and which shall have the powers, functions, and structure as provided for below.

(a) The Administration shall formulate and undertake, in coordination where necessary with the appropriate entities concerned, a systematic program for promoting and monitoring the overseas employment of Filipino workers taking into consideration domestic manpower requirements, and to protect their rights to fair and equitable employment practices. It shall have original and exclusive jurisdiction over all cases, including money claims, involving employer-employee relations arising out of or by virtue of any law or contract involving Filipino workers for overseas employment, including seamen. This adjudicatory function shall be undertaken in appropriate circumstances in consultation with the Construction Industry Authority of the Philippines. The governing Board of the Administration, as hereunder provided, shall promulgate the necessary rules and regulations to govern the exercise of the adjudicatory functions of the Administration.

(b) The Administration shall have a three-man Board composed of the Minister as Chairman, the Administrator, and a third member who shall be appointed by the President, who shall be well versed in the field of overseas employment, and who shall serve for a term of two years. The Administrator and such Deputy Administrators as may be necessary shall be appointed by the President. The President may, at his discretion, designate a Deputy Administrator as the third member of the Board, and he may also confer the rank of Deputy Minister in a concurrent capacity to a particular incumbent of the position of Administrator.

(c) The principal substantive subdivision of the internal structure of the Administration shall be established along the major functional areas corresponding to welfare services, placement and market development, and regulation. Each principal substantive subdivision shall be headed by a Director who shall be appointed by the President upon the recommendation of the Minister. The Administration shall have its own support staff.

(d) An Advisory Board for Overseas Employment and an Advisory Board for Seamen are hereby created with such members as may be appointed by the Minister. The Advisory Board shall have an essentially private sector composition to advise the Administration on its overseas operations, and its members shall be entitled to rates of compensation comparable to those prescribed for members of the abolished Overseas Employment Development Board and the National Seamen Board.

(e) The Regional Labor Office for the Middle East and Africa created under Executive Order No. 787 shall form part of the Administration. The head of the Regional Labor Office shall have the rank of Ambassador (Chief of Mission II).

SECTION 5. The Bureau of Labor Standards is hereby renamed the Bureau of Working Conditions. In addition to its present functions, the Bureau shall assume the functions of the Institute of Occupational Health and Safety abolished under Executive Order No. 591.