

[OWWA MEMORANDUM OF INSTRUCTIONS NO. 006, July 02, 2010]

ESTABLISHMENT OF AN OWWA LEGAL ASSISTANCE FUND (LAF) FOR OVERSEAS FILIPINO WORKERS

In the interest of the service and in view of the need to enhance the delivery of programs and services to clients, an OWWA Legal Assistance Fund (LAF) is hereby established and the following guidelines shall apply in the utilization and disbursement of the Fund:

A. Nature of the Program

The OWWA LAF shall serve as a counterpart to the existing legal assistance fund administered by the Department of Foreign Affairs (DFA) through the Office of Undersecretary for Migrant Workers. The Fund shall cover expenses for welfare cases managed/pursued/filed by the Overseas Welfare Officers at the Philippine Overseas Labor Offices (POLOs) at worksites that shall require the services of a legal officer and other services attendant to the resolution of the case.

To avoid overlap with cases filed by the Assistance to Nationals Unit of the Philippine Embassy, the thrust on the utilization of this LAF shall be towards effecting offensive strategy in pursuing justice for the Overseas Filipino Worker.

B. Objectives

The OWWA LAF aims to ensure the provision of free legal services to Overseas Filipino Workers (OFWs) on-site. It is specifically designed to provide the necessary logistical support to pursue cases filed at the appropriate judiciary institutions in the worksite.

C. Program Coverage

The OWWA LAF shall cover cases involving OWWA active members on-site, which are elevated to the proper courts after all administrative remedies have been exhausted. It may also cover criminal cases where the OFW is the complainant.

Workers' cases with criminal component and covered by the DFA LAF, shall be endorsed to the Assistance to the National Unit (ANU) of the Philippine Mission for proper disposition.

The OWWA Legal Assistance Fund shall be used exclusively to provide the following assistance:

- a. Fee for a competent private foreign counsel providing legal service not to exceed US Dollars 3,000.00 (US\$3,000.00) per case, provided that labor cases involving two or more workers against the same employer shall be considered one case;
- b. Court fees not exceeding US DOLLAR 500.00 (US\$500.00) per case;