

[DOLE DEPARTMENT ORDER NO. 63-04, July 20, 2004]

PROTECTIVE MECHANISMS FOR LAND-BASED OFWS

Effective immediately and to enhance the existing protective mechanisms for land-based OFWs, the following guidelines are hereby promulgated:

1. All land-based OFWs who are required to go into countries other than their contracted country of employment shall be informed of this condition at the time of contract signing;
2. All land-based OFWs performing cross-border assignments in whatever capacity shall be covered by work hazard premium pay, which shall not be lower than 100% of the basic salary, and additional insurance cover in the amount of not less than US\$35,000;
3. All land-based OFWs already at the worksite who are required by their employers to travel outside the borders of their contracted country of employment as indicated in the employment contract shall likewise be covered by conditions enumerated under paragraph 2 above. Such amendments to the contract shall be submitted to the Philippine Overseas Labor Office having jurisdiction over the place of employment for verification and approval;
4. In the event of accidents, fortuitous events, or acts of violence or terrorism and other similar circumstances causing the discontinuance or non-performance of his duties in the areas outside the contracted country of employment, OFWs shall be entitled to indemnity pay equivalent to one-month's basic salary, cost of repatriation to the point of hire, in addition to all accrued wages and other benefits;
5. In the case of drivers and other personnel, where the discontinuance or non-performance of duties in areas outside of their contracted country of employment is caused by acts of violence or terrorism, and where their safety is in danger, they shall no longer be required to physically turn over their vehicles or equipment as condition for full entitlement to accrued wages and benefits;
6. All employment contracts inconsistent herewith shall be deemed amended accordingly.

FOR STRICT COMPLIANCE.