

**PREPARING TO WORK ABROAD:  
FILIPINO MIGRANTS' EXPERIENCES PRIOR TO DEPLOYMENT**

A RESEARCH PROJECT CONDUCTED BY THE  
SCALABRINI MIGRATION CENTER FOR THE  
PHILIPPINE MIGRANTS RIGHTS WATCH AND  
FRIEDRICH EBERT STIFTUNG

JANUARY 2005



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## TABLE OF CONTENTS

Tables .....	5
List of Abbreviations .....	6
Acknowledgments .....	7
Executive Summary .....	8
Introduction .....	11
Research Objectives .....	12
Data and Methods .....	13
The Migration Context .....	15
Research Highlights .....	23
Profile of Respondents .....	23
The Decision to Migrate .....	24
The Importance of Networks .....	29
The Application Process .....	31
The Great Unknown: Fees .....	40
Problems Encountered in the Pre-Migration Stage .....	47
Information About the Contract, Working and Living Conditions .....	47
Access to Support Abroad .....	48
Return to the Philippines/Other Plans .....	50
Discussion and Conclusions .....	51
Information Programs and Migrants' Rights Education .....	54
Recommendations to PMRW and Migrant NGOs .....	56
Appendix 1 .....	57
References .....	62

**TABLES**

1	Survey Respondents by PDOS Provider .....	14
2	Number of Licensed Recruitment Agencies, As of 15 April 2004 .....	18
3	Illegal Recruitment Cases, 2002-2003 .....	21
4	Profile of Survey Respondents .....	25
5	Primary Reason for Working Abroad .....	26
6	Monthly Salary that Would Encourage Migrants to Stay in the Philippines .....	29
7	Persons/Organizations Consulted for Migration Information .....	30
8	Placement Fees by Occupation and Country .....	40
9	Who to Approach in Case of Problems Abroad .....	50

## LIST OF ABBREVIATIONS

DFA	Department of Foreign Affairs
DOH	Department of Health
DOLE	Department of Labor and Employment
FES	Friedrich Ebert Stiftung
FGD	Focus group discussion
LAC	Labor Assistance Counter
NBI	National Bureau of Investigation
NGO	Non-government organization
NSO	National Statistics Office
OEC	Overseas employment certificate
OFW	Overseas Filipino worker
OUMWA	Office of the Undersecretary for Migrant Workers Affairs
OWWA	Overseas Workers Welfare Administration
PAIRTF	Presidential Anti-Illegal Recruitment Task Force
PDOS	Pre-Departure Orientation Seminar
PEOS	Pre-Employment Orientation Seminar
PMRW	Philippine Migrants Rights Watch
POEA	Philippine Overseas Employment Administration
PRC	Philippine Regulatory Commission
SMC	Scalabrini Migration Center
TESDA	Technical Education and Skills Development Authority

## ACKNOWLEDGMENTS

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## EXECUTIVE SUMMARY

Three decades of sustained and large-scale labor migration have transformed the Philippines into a major source country of workers of various skill levels for the global labor market.

The Philippines' feat in capturing a niche in the global labor market has been accompanied by the pursuit of a labor migration policy and the active participation of a well-established migration industry. Over the years, a legal and institutional framework that provides protection for overseas Filipino workers (OFWs) – from pre-departure, to on-site support and assistance, and to the return and reintegration of migrant workers – developed as well. Despite the various protective mechanisms and good practices that are in place, overseas Filipino workers experience many problems, including problems even *before* they leave for abroad. Cases of illegal recruitment or migrant workers getting a raw deal in the destination countries are routinely reported in the media.

The need to address pre-migration conditions is important to prevent other problems later on, particularly when migrants are already in the countries of destination and are beyond the reach of national laws. In the interest to promote *safer* pre-migration conditions, the Philippine Migrants Rights Watch (PMRW) embarked on a research project to examine the experiences of migrant workers as they prepare for overseas employment, i.e., from the time that they apply for overseas work up to the point of departure. The aims of the study were:

- To document the requirements recruitment agencies/manning agencies ask of applicants seeking overseas jobs;
- To know migrant workers' experiences in dealing with other agencies prior to deployment: medical clinics/hospitals, training centers, relevant departments of the POEA/OWWA, NGOs, PDOS providers, and other institutions; and
- To determine migrant workers' knowledge of the provisions of their work contract, working and living conditions abroad, rights, and access to support and assistance in the destination.

### Data and Methods

The research focused on *legal* migrant workers, i.e., those who are going through the Philippine Overseas Employment Administration (POEA). By focusing on workers going through the legal channels, the research aims to uncover the loopholes and problems in the existing system, which may not be so obvious given the legal mantle that surrounds the process.

The main data came from a survey of 990 departing migrant workers who attended the Pre-Departure Orientation Seminars (PDOS) provided by the POEA Central Office, POEA/OWWA offices in Cebu and Davao, selected NGOs and a licensed industry provider. The selection of respondents was not based on probability sampling and most of the respondents were women migrants, limitations that have to be considered in the interpretation of the data.

Other than the survey, the study also conducted *key informant interviews* with key personnel from government agencies, PDOS providers, and selected migrant workers; and *focus group discussions* with migrant workers across different occupational groups. The collection of primary data was undertaken between June and September 2004.

The profile of survey respondents reveal migrants who had considerable human capital: 46 percent were college graduates and some 86 percent had worked in the Philippines. More than half (59 percent) had also worked abroad. The majority of these departing OFWs (68 percent) will take up work as domestic workers and caregivers/caretakers. The rest will be engaged in various jobs – e.g., factory workers, restaurant/hotel workers, IT, teachers, nurses and others. They will be working in different countries; most will be working in Asian countries.

### Major Findings

1. Economic reasons, mostly the lack of regular employment and the low wages in the Philippines, prompted respondents to work abroad. Migrants viewed working abroad as a means to provide a better future for their children and their families, and for this reason, migrants sometimes defied their spouses' or parents' objections to their plans.
2. At the pre-migration stage, migrants relied mostly on their personal networks, largely relatives based abroad (and also in the Philippines) as sources of information. Government agencies and NGOs did not figure as sources of information at this stage. Many migrants did consult the POEA, but only to verify whether they were dealing with licensed recruitment agencies.
3. Next to family members and relatives, recruitment agencies played a central role in the pre-migration stage. In most cases, migrants selected a recruitment agency based on the recommendation or referral of family members. Seven out of 10 respondents in the survey were agency hires while three out of 10 were direct hires (i.e., they did not find jobs through the agencies; they also include those who were placed by the POEA).
4. The steps and requirements (i.e., excluding the placement fees and other fees) in the application process were fairly uniform.
5. Much variation was noted in the placement fees paid by migrants who were applying for the same job in the same destination. The survey data and qualitative data from the focus group discussions and in-depth interviews reveal rampant violation of the standard placement fee (the equivalent of one month's salary). Many direct hires, who were not supposed to pay placement fees, reported paying such fees.
6. Thirty-seven percent of respondents did not know the standard placement fee for the job and the country they were applying for. In general, they acquiesced to the fees charged by recruitment agencies. Some migrants who had salary deductions arrangements did not know the repayment period and/or the amount of the deduction.
7. Many migrants did not count the costs/expenses involved in the application process. Further probing of expenses for various items reveal considerable financial investments. Migrants expected to recover their expenses once they started working abroad.
8. Except for the placement fees, migrants reported no major problems during the pre-migration stage. In general, they did not have problems in their dealings with

government agencies and the migration industry. The government agencies migrant-applicants had to deal with typically include the National Statistics Office, the National Bureau of Investigation, the Philippine Regulatory Commission, Malacañang, the Department of Foreign Affairs, and the POEA. There were some references to irregularities, fixers, and excessive fees (which happened to other people); very few migrants had such personal experiences.

9. About 79 percent of migrants had signed a contract at the time of the study. Although they were legal migrant workers, not all of them were expecting to have the requisite days off or to be covered by health insurance. Some participants in the focus group discussions remarked that the contract signed in the Philippines was not binding.
10. In terms of access to support, 66 percent of survey respondents had relatives and friends in their intended country of destination. At the destination, migrants mentioned the Philippine missions and other offices, family and friends, the Church/NGOs as sources of assistance should they encounter problems. Very few respondents considered approaching the government and other institutions in the destination country.

### **Challenges for Policy and Advocacy**

The widespread contravention of the standard placement fee and the reservations cast on the efficacy of the standard employment contract are significant cracks in *legal* labor migration. This problem could be addressed in various ways. Over the short-term, resources could be directed at enhancing the dissemination of information, reinforcing the regulation and monitoring of recruitment agencies, and enforcing sanctions on errant recruitment agencies. POEA could consider documentation of cases gathered by NGOs as information in aid of *preliminary* investigations or spot checks of alleged errant agencies. A fundamental task is the review of the standard placement fee and the standard employment contract: what purpose do they serve and what would be more viable alternatives? In terms of migrant education, more community-based approaches should be explored, particularly the strengthening of links with local governments, in order to reach potential migrants.

## PREPARING TO WORK ABROAD: FILIPINO MIGRANTS' EXPERIENCES PRIOR TO DEPLOYMENT

*Bahala nang pamilya kong maiwan sa bayan ko  
Mabubuhay naman sila hanggang sa unang suweldo ko  
Bahala na, bahala na*

**(I leave my family to their fate  
They would survive until my first paycheck  
Let fate decide, let fate decide)<sup>1</sup>**

### INTRODUCTION

► Three decades of sustained and large-scale migration of Filipino workers to foreign countries have transformed the Philippines into a country of migrants. According to the most recent *stock* estimate, there are 7.76 million Filipinos present in 192 countries and territories all over the world. These 7.76 million overseas Filipinos are distributed as follows: 2.87 million are permanent immigrants; 3.39 million are overseas workers; and 1.51 million unauthorized migrants ([www.poea.gov.ph/docs/ofwStock2003.doc](http://www.poea.gov.ph/docs/ofwStock2003.doc), accessed 11 December 2004).<sup>2</sup>

The overseas Filipinos make up close to 10 percent of the 82-84 million Filipino population. Overseas Filipinos represent the personal link to the outside world for those who remain in the Philippines. A September 2004 survey by the Social Weather Stations found that half (52 percent) of Filipinos had relatives based abroad, with 22 percent having relatives in the United States ([www.sws.org.ph/pr140904.htm](http://www.sws.org.ph/pr140904.htm), accessed 11 December 2004). These links connect migrants and non-migrants, which not only enable further migration flows, but also foster various kinds of transnational projects. As many migration scholars observe, these connections represent "globalization from below," which contrast with the "globalization

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<sup>1</sup> Lyrics from Heber Bartolome's song, *Bahala Na* ([www.newsinq7.net/entertainment/entertainment/index\\_php?index=1&storyid=17827](http://www.newsinq7.net/entertainment/entertainment/index_php?index=1&storyid=17827), accessed 12 November 2004).

<sup>2</sup> Based on the stock estimate prepared by the Commission on Filipinos Overseas, the Department of Foreign Affairs, the Philippine Overseas Employment Administration and other sources.

from above" that is represented by multinational companies, international organizations and governments.

Given these extensive links, it is not surprising that the desire to migrate has captured the Filipino imagination. A nationwide survey by Pulse Asia in 2002 revealed that 20 percent of adult Filipinos had lost confidence in the country and would like to migrate if they could (*Asian Migration News*, 30 June 2002). Adults are not the only ones contemplating migration. A 2003 nationwide survey of children in the ages 10-12 years found that 47 percent wanted to work abroad someday; the percentage was higher - 60 percent - among the children of overseas Filipino workers (ECMI-CBCP/AOS-Manila, SMC and OWWA, 2004). The same study found that the courses children planned to take were those that would lead to jobs that would be marketable abroad – nursing, mostly among girls; maritime courses, mostly among boys. Thus, in the years to come, more and more Filipinos are likely to join the hundreds of thousands of Filipinos before them who packed up their bags in the hopes of finding better opportunities abroad.

#### *Research Objectives*

► Year after year, hundreds of thousands of Filipinos are legally deployed overseas. As of 2003, 891,908 migrant workers (682,315 land-based; 209,593 sea-based) left for overseas employment. These were the ones who made it; many others also aspired to work abroad, but were unable to realize their migration intentions. Some of them had their hopes dashed due to problems encountered early on in the migration process.

Migration intentions are just the starting point of the migration project. Prospective migrants have to go through many stages, perhaps a maze in some instances, in order to realize their migration intentions. Considering the large supply of potential migrants on the one hand, and the limited access to securing overseas jobs through legal channels on the other, some prospective migrants may fall victim to various schemes and irregular practices prior to migration. Despite the fact that the Philippines is one of the more organized source-countries of migrant workers in the Asian region, scores of migrant workers encounter many problems even before they leave the country. Cases of illegal recruitment or migrant workers getting a raw deal in the destination countries are routinely reported in the media.

The need to address pre-migration conditions is important to prevent other problems later on, particularly when migrants are already in the countries of destination and are beyond the reach of national laws. Moreover, since migrant workers are still in the Philippines, it is expected that they will be better protected by Philippine laws. In the interest of promoting safer migration, the Philippine Migrants Rights Watch (PMRW) embarked on a research project to examine the pre-departure migration experiences of departing migrant workers, covering the period from the time that they apply for a job abroad up to the point of departure. The research objectives were:

1. To document the requirements recruitment agencies/manning agencies ask of applicants seeking overseas jobs;
2. To know migrant workers' experiences in dealing with other agencies prior to deployment: medical clinics/hospitals, training centers, relevant departments of the POEA/OWWA, NGOs, PDOS providers, and other institutions; and
3. To determine migrant workers' knowledge of the provisions of their work contract, working and living conditions abroad, rights, and access to support and assistance in the destination.

The data and information generated by the research are expected to provide directions for policy and advocacy. Among others, findings from the research project are expected to document violations committed against migrants at the pre-migration stage, gaps in programs and services to migrants, and good practices that promote migrants' empowerment.

#### *Data and Methods*

► The research focused on *legal* migrant workers, i.e., those who are going through the Philippine Overseas Employment Administration (POEA). By focusing on workers going through the legal channels, the research aims to uncover the loopholes and problems in the existing system, which may not be so obvious given the legal mantle that surrounds the process. This project will also build on and complement a previous research on unauthorized migration from the Philippines (see Battistella and Asis, 2003).

The main data for the research came from a survey of 990 departing migrant workers who attended the Pre-Departure Orientation Seminars (PDOS)<sup>3</sup> provided by the POEA Central Office, POEA/OWWA in the Cebu and Davao regional offices, selected NGOs and a licensed industry provider (henceforth, the 2004 Pre-Migration Survey).<sup>4</sup> A five-page questionnaire (Tagalog) was administered to participants at some point during the PDOS. A copy of the English version of the questionnaire is provided in Appendix 1.

The selection of respondents was not based on probability sampling, and this must be taken into account in the interpretation of the data. Also, compared with the gender distribution of new hires (which is usually 70 percent women, 30 percent men), the project ended up with a more skewed distribution (83.3 percent women, 16.7 percent men). In part, the gender distribution of the sample reflects the composition of participants in the PDOS providers which participated in the research (Table 1). The lack of cooperation by industry PDOS providers in the project lessened the likelihood of reaching more male migrants.

**Table 1**  
**Survey Respondents by PDOS Provider**

PDOS Provider	Percent
POEA-Central	21.8
POEA/OWWA-Regions	23.0
NGOs – Manila	52.1
Placement Agency	3.1
<b>Total</b>	<b>100.0</b> (n=990)

The survey was supplemented by other primary data collected through: *key informant interviews* with key personnel in the POEA, the Overseas Workers Welfare Administration (OWWA), and the Technical Education and Skills Development Authority (TESDA), PDOS providers (NGOs and industry providers), and selected migrant workers (n=43); and seven *focus group discussions* (FGDs) with departing workers (nurses, other professionals (i.e.,

<sup>3</sup> All departing migrant workers are required to attend PDOS. This requirement has been introduced in the pre-deployment process since 1983.

<sup>4</sup> The research project communicated with several industry providers for permission to conduct the survey with their PDOS participants, but after many attempts, only one industry provider agreed to be part of the study. The project sought the cooperation of the industry providers in the hopes of reaching more male respondents, knowing fully well that NGO providers would tend to have more women participants because they cater primarily to household workers (most of whom are women).

excluding nurses); domestic workers from Mindanao; domestic workers from other regions; entertainers (specifically, band members);<sup>5</sup> non-professional male migrants; and factory workers).<sup>6</sup>

The collection of primary data was undertaken between June and September 2004. Prior to that, the project conducted a literature review and reviewed various documents – memorandum circulars, POEA annual reports, media reports – relevant to the topic.

In the presentation of the data, the names and identities of the respondents are not provided to protect their privacy. Discussions during the dissemination-validation workshop undertaken last 12 November 2004 have also been incorporated in this report.

## THE MIGRATION CONTEXT

► Before presenting the results of the study, it would be instructive to describe the migration context in the country. As had been mentioned, the labor migration program in the Philippines is considered to be one of the most organized systems in Asia, providing programs and support to migrants at all stages of the migration process: pre-departure, on-site, and return and reintegration (*see* Asis, 2001; forthcoming).

Although the Philippines started out with a market-orientation, the labor migration program increasingly included provisions for the welfare and protection of migrant workers and their families. The development of government agencies tasked with specific functions reflects this trend: POEA takes care of the regulation of the migration industry;<sup>7</sup> OWWA takes care of the welfare of OFWs while they are abroad and the families left behind, and the Office of the Undersecretary of Migrant Workers' Affairs (OUMWA) provides legal assistance to OFWs in distress. The Philippines was the first country of origin in Asia to have a piece of legislation, the Migrant Workers and Overseas Filipinos Act of 1995 (Republic Act 8042), providing for protection that should be accorded OFWs and overseas Filipinos, from pre-

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<sup>5</sup> The study focused on band members because there is little information on this type of entertainers. A recent study on entertainers to Japan was undertaken by DAWN (2003).

<sup>6</sup> Except for the two groups of domestic workers, which were made up of women, the other groups had male and female participants.

<sup>7</sup> The migration industry refers to private sector organizations that are involved in the labor migration program. The major players are the recruitment and placement agencies. They work with other entities in sending workers abroad, charging fees for their services.

departure to return and reintegration issues.<sup>8</sup> The Philippines is also one of 27 countries (as of 9 December 2004) that have ratified the 1990 United Nations Convention on the Rights of All Migrants and Members of Their Families ([www.december18.org](http://www.december18.org), accessed 12 December 2004).

Problems, however, continue to hound pre-departure processes. While the legal and institutional framework of a safe and orderly migration is in place, the implementation and enforcement of their provisions are uneven. The government's commitment to protect migrant workers can also be compromised by its interest to sustain overseas employment. Sec. 2 (c) of RA 8042 states that "... the State does not promote overseas employment as a means to sustain economic growth and achieve national development." However, since the economic crisis in Asia in 1997, the government has reframed its position on labor migration. A target of sending a million workers every year has been set by the Arroyo administration. The previous discourse of migration as a temporary measure has been reframed into a discourse of migration as a reality in the age of globalization. In the POEA Annual Report 2003 (p.4), Labor Secretary Patricia Sto. Tomas stated that:

... a radical shift in the perspective of policymakers who used to regard labor migration as a temporary solution to the critical low employment rate in the domestic market, but who now recognize that remittances "help alleviate poverty, spur investment and cushion the impact of worldwide recession when private capital dries up."

Following this shift in perspective is an urgent need to redefine our overseas employment policy vis-à-vis the new role that the migrant worker is expected to assume in the global economic order. Aside from ensuring decent and quality employment for OFWs, a top priority of the POEA must be to set up structures that would "professionalize" overseas employment to enable our countrymen to compete in the enlarging and highly competitive global labor market.

Where the state may be remiss or lacking in action, an active and vibrant NGO community working for migrants' rights steps in, to remind the government of its responsibility to its nationals working abroad. Migrant NGOs have been at the forefront in the promotion of migrants' rights education. The development of migrant associations or self-organized groups by migrant workers themselves is also significant in engaging the state to assume more responsibility to OFWs.

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<sup>8</sup> In September 2004, Indonesia enacted a law aimed at providing protection to Indonesians working abroad.

Safeguards to protect migrants, however, are diminished by other factors. The participation of the migration industry in labor migration is perceived to be a source of many irregular practices that adversely affect migrant workers. The migration industry has been an important stakeholder in the labor migration program since the 1970s. The recruitment agencies came into the picture due to the rising demand for Filipino workers. Reports of abuses by recruitment agencies impelled the government to regain recruitment and placement functions, but the demand was more than the government could handle (Sto. Tomas, 2002). As a result, recruitment agencies recovered their role as middlemen and the government then concentrated on regulating the migration industry.

Presently, there are 1,234 licensed agencies, which handle the land-based sector, and 342 manning agencies, which take care of the placement of sea-based workers (Table 2). The number of unlicensed agencies is not known but is suspected to be quite significant. Moreover, the situation is compounded by tie-ups between unlicensed agencies and their licensed counterparts.

**Table 2**  
**Number of Licensed Recruitment Agencies as of 15 April 2004**

<b>Region</b>	<b>Distribution</b>
Metro Manila	
Landbased Agencies	938
Manning Agencies	342
CAR	6
Region I	27
Region II	22
Region III	22
Region IV	22
Region V	10
Region VI	51
Region VII	31
Region VIII	14
Region IX	22
Region X	46
Region XI	20
Region XII/CARAGA	3
<b>TOTAL</b>	<b>1,576</b>

Source: [www.poea.gov.ph](http://www.poea.gov.ph), accessed 15 April 2004

To weed out unscrupulous agencies, POEA introduced new and more stringent rules which took effect on 24 May 2002. Aimed at strengthening the safety nets for aspiring migrant workers, the new rules imposed stiffer requirements for recruitment agencies – an increase in capitalization and financial requirements and higher levels of deployment, among others.<sup>9</sup> The fewer new licenses granted in 2003 – 85 compared with 181 new ones issued in 2002 (POEA Annual Report 2003, p. 23) – is one of the immediate consequences of the new rules. As explained by a POEA official, the stringent rules make it difficult for new recruitment agencies to enter the field, but once they pass the test, the rules are intended to make it easier for agencies to operate within the legal framework (Interview, 9 September 2004). To ensure compliance, the POEA requires new applicants for licensing to attend an orientation seminar (specially, the manager, sole proprietor or chief executive officer must attend the seminar) before a license is issued. According to the POEA official, in the past, those in the recruitment business were not aware of the rules and regulations, which they usually relegate to their lawyers; some of them were not aware that their agencies had link-ups with unlicensed operators (Interview, 9 September 2004).

The various inspections conducted by the POEA in 2003 revealed a rather high level of infraction committed by licensed agencies. For example, of the 985 agencies inspected and monitored, 516 (i.e., 52.3 percent) were suspended due to recruitment violation cases; 24 were suspended for failure to replenish bonds. Of the 7,480 ads placed by licensed agencies in 2003, 391 ad violations were recorded (POEA Annual Report 2003, pp. 24-25). Indeed, as the POEA official shared, if the new rules are evaluated in terms of the number of violations reported, there is not much difference under the new rules. In fact, the number of cases docketed (i.e., those cases that will be subject to investigation) have remained the same. What has increased is the number of voluntary conciliation - i.e., the number of complaints increased, but the agencies tend to reach an agreement with the complainant. It is possible that the same or even greater number of violations that have been reported after the new rules took effect indicate that the latter have been effective in drawing attention to the violations, or that workers have become more aware that there are ready remedies that they can access.

According to a key informant from POEA, the most common reason for the cancellation of permit to operate is excessive collection (Interview, 9 September 2004). Cancellation is

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<sup>9</sup> For details, see Battistella and Asis (2003:44-45).

meted out as a penalty for the following: first serious offense, or upon the third less serious offense, or if the violation adversely affected five or more complainants. As she explained, under the new rules, it is easier to cancel the licenses of erring agencies, based on a classification of offenses and schedule of penalties (Interview, 9 September 2004). All the other irregularities committed by recruitment agencies revolve around fees. If it is not excessive collection of fees, it is premature collection of fees, non-issuance of receipt, acts of misrepresentation, and contract substitution (Interview, 9 September 2004).

The views of the migration industry on the impact of the new rules differ. An officer of a manpower association considered the new rules heavy handed and burdensome. He did not agree with the idea of canceling the license on account of one violation. In his observation, when a license is cancelled, the recourse is simply to buy a new one using a different name. As he explained:

If I have a violation, for example, illegal parking, pay the fine. But if you tell me that for illegal parking, my license will be suspended immediately, I cannot drive. The problem is, they [POEA] want to sell the driving license instead of just imposing a fine for illegal parking or jaywalking. It doesn't make sense ...

For him, the new rules do not redound to better worker protection. Those who had been suspended just buy a new license, and in the end, it is a money-making exercise (Interview, 31 May 2004).

The gap in enforcement, particularly in going after the wrongdoers, is suggested by the small number of persons arrested and establishments closed in relation to the cases filed or the number of victims (Table 3). Part of the problem is the reluctance of workers to file formal charges. POEA does receive inquiries from migrants asking about the legal placement fees. Although workers complain about the excessive fees charged by recruitment agencies, they would rather not file a case for fear of prejudicing their chances to leave for abroad. Some accept the conditions as long as they can leave for abroad; those who usually file a complaint are the ones who paid a lot of money but were unable to leave. Unless there is a complaint backed up by evidence, POEA cannot just file a case against the agency; otherwise, it will be sanctioned by the Ombudsman. Thus, while they receive many complaints, unless

complainants file an affidavit, POEA is unable to pursue these cases (Interview, 9 September 2004).<sup>10</sup>

The anti-illegal recruitment campaign, a major program in the pre-migration stage was reinforced by Executive Order No. 325, issued on 9 July 2004, with the creation of the Presidential Anti-Illegal Recruitment Task Force (PAIRTF). Among PAIRTF's tasks are: the conduct of surveillance and entrapment operations of persons who are allegedly involved in illegal recruitment, investigations and speedy prosecution of illegal recruitment cases, and coordination with other agencies involved in the campaign against illegal recruitment.

**Table 3**  
**Illegal Recruitment Cases, 2002-2003**

<b>Indicators</b>	<b>2003</b>	<b>2002</b>	<b>%Change</b>
Cases handled	1,219	956	27.51
Pending at the beginning	353	205	72.20
New cases received	866	751	15.31
Cases filed for preliminary investigation	618	603	2.49
Cases pending at the end	621	353	75.92
Number of victims assisted	1,625	1,902	-14.56
Surveillance conducted	478	416	14.90
Person arrested	11	18	-38.89
Establishment closed	29	29	-----

Source: POEA Annual Report 2003, p.25 ([www.poea.gov.ph/AR.pdf](http://www.poea.gov.ph/AR.pdf), accessed 12 December 2004)

The recruitment and placement agencies are not the only the ones engaged in the business of labor migration, although they are the major players. Other related-businesses are also involved, including:

- *Medical clinics and hospitals:* There are 147 clinics and hospitals, mostly in the National Capital Region, which are accredited to examine whether applicants are fit to work abroad. The Bureau of Health Facilities and Services of the Department of Health regulates and monitors the operations of health facilities undertaking these pre-employment medical examinations (Administrative Order No. 1, Series 2003).
- *Training centers:* Training is required for some skills, notably, for overseas performing artists (OPAs) or entertainers and caregivers. For entertainers alone,

<sup>10</sup> During the dissemination workshop last 12 November, this was one of the issues that was raised. While migrants' reports as well as the reports of NGOs which work with migrants may not be taken as legal evidence, these reports, should, at the least, serve the purpose of alerting POEA to the irregular practices of some agencies and may be used as basis for preliminary investigations.

there are 287 training centers; all these centers operate in Metro Manila ([www.tesda.gov.ph](http://www.tesda.gov.ph), accessed 5 November 2004). Some agencies may require training for domestic worker applicants as well.

Training centers could easily proliferate in response to market trends. An example is the mushrooming of caregiver training institutions, which numbered 735 as of 4 November 2004 ([www.tesda.gov.ph](http://www.tesda.gov.ph), accessed 16 May 2004). Caregiver training usually spans six months and the average fee is about P18,000. Unlike training centers for OPAs which are all based in Manila, caregiver training institutions are distributed all over the Philippines (although the majority are in Metro Manila). The quality of the training they provide and the actual demand are some of the concerns about the unchecked growth of such centers. Recently, POEA issued Advisory No. 4, Series of 2004, explaining that "Contrary to media advertisements and claims made by local caregiver institutes, there is no huge global demand for caregivers overseas, especially among existing markets as evidenced by a marked general slowdown in deployment between 1998 and 2003" ([www.poea.gov.ph.htm/advisory4\\_2004.html](http://www.poea.gov.ph.htm/advisory4_2004.html), accessed 13 December 2004).

- *Testing centers:* Some workers – caregivers, data encoders, consumer electronics mechanics, computer technicians, heavy equipment workers, building wiring technicians, deck ratings, engine ratings, and catering workers – must go through trade testing. TESDA regulates the operations of these trade testing centers. As of 21 April 2004, there were 19 accredited assessment centers, 14 of which were for assessing caregivers' competencies.

Travel agencies and lending agencies are also linked and networked with recruitment agencies. With an annual deployment of over 800,000 every year (and this is legal deployment alone), the various businesses generated by labor migration can be considerable.

As noted earlier, after three decades of overseas employment, the idea of working abroad has caught on in the Philippines. All regions of the country have now been touched by labor migration (Asis, forthcoming). More importantly, with networks of families and friends established abroad, potential migrants have access to migration information, resources and assistance that can lay the groundwork for further migration.

## RESEARCH HIGHLIGHTS

### *Profile of Respondents*

► The characteristics of migrants are summarized in Table 4. The mean age of migrants was 31.1 years, half (49.9 percent) were never married; 58.5 percent came from Luzon, and most (46.1 percent) had a college education. Many (86 percent) had had some work experience in the Philippines. However, the majority (62.1 percent) had worked for four years or less. The FGDs and the in-depth interviews corroborated the lack of job security and the low wages experienced by respondents, which compelled them to find jobs abroad.

The largest percentages of respondents were applying to work as domestic workers (47.2 percent) and caregivers/caretakers (20.9 percent) abroad. Factory workers, technicians, teachers, and restaurant/hotel workers also comprised a smaller but sizable percentage of the survey respondents. The “other occupations” category encompasses a wide range of jobs Filipino migrants work in. The major destinations where migrants expected to work were Hong Kong (21.1 percent), Taiwan (15.2 percent), Saudi Arabia (7.9 percent), Canada (6.9 percent), and Kuwait (5.7 percent). Altogether, these five countries accounted as the destination of about half of departing migrant workers. The other destinations were each mentioned by less than five percent of respondents. The data on intended countries of destination highlight the variety and the extensive distribution of Filipino workers in different parts of the world.

About seven out of 10 respondents were agency hires while three out of 10 were direct hires (i.e., they did not find jobs through the agencies; direct hires include those who found jobs through POEA). More than half of the respondents (58.6 percent) had worked abroad before, a pattern that conforms with the high rate of re-migration observed for Filipino migrants. Less than half (41.4 percent) were leaving to work abroad for the first time. Nine out of 10 had attempted to apply for overseas employment before, and only one out of 10 had filed an application for the first time. In other words, majority of respondents’ previous attempts were not successful in the sense that they were unable to actually leave for abroad.

Migrants who attend PDOS are supposed to be at the point of deployment – i.e., an employer has been identified, they had gone through a medical examination, and the PDOS

is usually scheduled at around the time that they are waiting for their visa. However, based on Table 4, some 45 percent of respondents were still waiting for word as to when they would actually leave. On the other hand, there were also PDOS participants who were scheduled to leave immediately. Several of those who participated in the FGDs and in-depth interviews, shared that they were leaving very soon, some were leaving as early as the day after the PDOS. As observed in earlier assessments of the PDOS (Scalabrini Migration Center, 1992; 1997), the workers' frame of mind at the time of the PDOS is already set on their imminent departure. As such, inputs from PDOS at this point compete with other last-minute concerns that preoccupy workers. Thus, the orientation provided by PDOS may fall on deaf ears as migrants are concerned with other matters. Also, they may have been victimized early on in the application process and PDOS as an intervention comes late in the process.<sup>11</sup> During some FGD sessions, for example, discussions about potential problems seemed to introduce some second thoughts to some participants. However, these doubts were eventually overtaken by *bahala na* (letting go of fears and trusting that things will be fine) because they have already invested a lot and have reached this far to back out.

### *The Decision to Migrate*

► This study has confirmed that migrants are the ones who decide to migrate. The FGDs, in particular, highlighted that migrants, including women migrants, would even defy their spouses' or parents' wishes because they were convinced that working abroad was the only way to improve their family's situation. As shown below (Table 5), economic reasons were the typical reasons why respondents sought overseas employment.

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<sup>11</sup> Thus, the idea of a pre-employment orientation seminar (PEOS) was conceived as an earlier intervention so that prospective migrant workers will be aware of the pitfalls of applying for overseas employment. Among others, PEOS is envisaged to orient prospective migrants about the legal application process, how to avoid illegal recruiters and the like. The idea of institutionalizing PEOS in the same manner as PDOS has been explored but has not really taken root.

**Table 4**  
**Profile of Survey Respondents**

<b>Gender</b>	<b>Percent</b>
Female	83.3
Male	16.7
	(n=990)
<b>Age</b>	
24 and below	21.2
25 – 29	28.8
30 – 34	19.4
35 – 39	15.0
40 – 45	9.6
45 and older	6.1
	(n=987)
	x   31.1 years
	s.d.   7.7 years
<b>Marital Status</b>	
Never married	49.9
Married	43.3
Separated/Widowed	6.8
	(n=984)
<b>Region of Origin</b>	
Luzon	58.8
<i>Metro Manila</i>	12.1
Visayas	17.9
Mindanao	23.6
	(n=962)
<b>Education</b>	
High School or less	27.4
Some college	26.0
College or more	46.1
	(n=971)
<b>Had ever worked in the Phils?</b>	
No	14.3
Yes	85.7
	(n=875)
4 yrs. or less	62.1
5 – 9 yrs.	21.8
10 or more	16.2
	(n=712)
<b>Type of hire</b>	
Direct hire	31.4
Agency hire	68.6

	(n=966)
<b>First time to work abroad?</b>	
Yes	58.6
No	41.4
	(n=981)
<b>Among first timers:</b>	
Had applied for overseas work	89.0
Had not applied for overseas work	11.0
	(n=593)
<b>Schedule of departure for abroad</b>	
Within 2 weeks	37.2
Within the month	17.8
Waiting for schedule	44.9
	(n=959)

Source: 2004 Pre-Migration Survey

**Table 5**  
**Primary Reason for Working Abroad**

<b>Reason for working abroad</b>	<b>Percent</b>
Better future for children/family	52.7
Low salary here/higher salary abroad	22.5
Unable to find a job here	20.8
Others (including "to experience another culture")	4.0
<b>Total</b>	<b>100.0</b> (n=966)

Source: 2004 Pre-Migration Survey

Migrants who met with family opposition to their migration plans argued against their family members' point that it was all right to be poor as long as the family were together. As expressed by many participants in the FGDs, they had to leave because it was not enough just to be able to eat three times a day. Many migrants did not have a permanent job that would provide a regular income. Qualitative data from the in-depth FGDs and interviews

indicated that prior to migration, the jobs that most people had were contractual or not permanent. The second issue is the low wages that simply fell short of meeting their family's needs.

My husband really objected, but I told him that if we are now having difficulties while the children are young, how much more when they reach high school? Since we are financially hard up, I thought of going abroad. [Q: Have you talked to your children, other family members, about your going abroad?] Yes, I explained to my children so that when I leave, they won't bear hurt feelings towards me. I explained that my leaving was not for me but for their future.

M, female, domestic worker-applicant

... I am the kind of person who has plans, I have determination. For example, I want to have my own house. If you just work here, your salary will just take care of food, it will be enough for three meals per day. The rest, if you want to buy something, for example, you can't [afford it] because your salary cannot cover other expenses.

R, female, domestic worker-applicant

First of all, isn't it difficult here in the Philippines? You work eight hours, sometimes 12 hours, but you don't earn enough. But if you are abroad, your efforts are well compensated. I mean, if you are prudent and you don't buy unnecessary things, only the important ones, your efforts will be worth it.

S, female, band member-applicant

For me, it is because my salary is not enough to meet the needs of my family. I have three children, a wife. If I cannot afford to send them to high school, I don't think I can send them to college; my salary is just not enough.

R, male, laborer-applicant

Economic motivations were also part of the reasons why other professionals (non-nurses) and nurses decided to find work abroad. Nurses and other medical professionals were well-aware of the huge salary differentials between their earnings in the Philippines and what they could earn abroad. The nurse applicants in the FGD all mentioned that "dollars" ("basically, the money," they said) attracted them to work abroad. According to them, the thought that they will work abroad someday helped them cope with their small salary in the Philippines. At the back of their minds, they were banking on their work experience that will help them land a nursing job abroad. Other professionals with very good salaries were motivated by things other than income. These are reflected in the following comments:

For me, I was comparing my earnings with those of my classmates' in the US. They are earning about P250,000 a month, compared to my measly monthly income of P8,000. We have about the same qualifications ... you know. So I thought of applying there so that I could have comparable income.

A, male, occupational therapist-applicant

Definitely, the salary abroad is bigger, plus you will have many opportunities other than getting a better salary. You will be exposed to many different types of people ... and it is different if you have been out ... you will appreciate more what you don't have here and you will be a better member of society because you do not litter the place. When you are abroad, you behave differently, so, when you return, something you bring with you the culture of the society where you came from and it makes you a better person.

J, male, manager-applicant

The issue of low wages in the local employment market has been a push factor of migration since the 1970s. The study explored the level of monthly salary that would encourage Filipinos to stay. The survey data uncovered a broad range of income levels, ranging from a low of P1,000 (one respondent) to P278,630 a month (one respondent). The three largest modal values are: P10,000 (n=110 respondents); P15,000 (n=100 respondents); and P20,000 (n=85 respondents). Table 6 presents another way of looking at this data. It is interesting to note that the largest proportion (43.2 percent) would consider staying home if they could earn between P10,000 and P19,999 monthly. Those who wished to earn P30,000 and more comprised a minority, 13 percent. Note that as of 2002, the poverty threshold in the Philippines was at P11,906 ([www.nscb.gov.ph/poverty/2002/2002povTreshold.asp](http://www.nscb.gov.ph/poverty/2002/2002povTreshold.asp), accessed 10 November 2004). The monthly salary sought by most migrants, thus, hews closely to the needed by a family to meet its basic needs. Further analysis of the survey data indicated that many respondents cited a monthly figure that is lower than what they earned abroad (or what they would expect to earn overseas), indicating preparedness in downscaling their salaries, in order to be with their families. As expressed by many participants in the FGDs, they would rather not be away from their families if they could have a reliable and decent salary in the Philippines.

**Table 6**  
**Monthly Salary that Would Encourage Migrants to Stay in the Philippines**

Monthly Salary: Will Stay (P)	Percent
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Below 10,000	21.0
10,000-19,999	43.2
20,000-29,999	23.2
30,000-39,999	15.9
40,000 and up	6.7
<b>Total</b>	<b>100.0</b> (n=615)

*Source: 2004 Pre-Migration Survey*

*The Importance of Personal Networks*

► The survey revealed that 66 percent of respondents had relatives and friends present in the countries where they intended to go. Relatives and friends abroad mean social capital – i.e., they are a very important and accessible source of information, funds, and assistance when migrants arrive in the destination. Meanwhile, the improved economic situation of migrants’ families in the Philippines demonstrates what can be achieved by working abroad, thereby convincing non-migrants to follow the same path.

Migrants’ personal and social networks are indeed an important source of migration information. Nearly eight out of 10 respondents consulted their relatives abroad and in the Philippines about their migration plans (Table 7). Note that other entities – recruitment agencies, POEA, NGOs and others – play a very minor role as a source of migration information.

**Table 7**  
***Persons/Organizations Consulted for Migration Information***

<b>Source of migration information</b>	<b>Percent</b>
Relatives abroad	60.6
Relatives in the Phils.	18.1
Recruitment agencies	11.3
POEA	8.4
NGOs	0.1
Others	1.5
<b>Total</b>	100.0 (n=952)

*Source: 2004 Pre-Migration Survey*

The survey revealed that relatives based abroad and in the Philippines (67.8 percent, of which 47.5 percent were relatives based abroad) were the major source of information on how migrants selected the recruitment agency; only about a quarter (23.6 percent) relied on their own efforts (e.g., identifying recruitment agencies through newspaper ads) and other means (8.7 percent).

In the FGD with domestic workers from Mindanao, the role of recruiters or agents operating in the communities came out. This did not surface in the FGDs with another group of domestic workers from Luzon and Visayas (or in the FGDs with other non-professional migrants). Several participants from Mindanao said that they were referred to an agency in Manila by a recruiter in their community who was also known to them. In some cases, the recruiter provides other support, such as going with them to Davao to apply for a passport, or to accompany them to Manila, or to arrange for someone in Manila to take care of the migrants during the application process. In one case, a recruiter arranged for the migrant-applicant to stay in the placement agency in return for cleaning and janitorial work. As will be discussed in a later section, the recruiter gets a share of the salary deductions charged against the migrant.

In the FGDs, relatives were the most common source of funds or loans in financing the migration project. A few mentioned pawning property, selling jewelry or land, “5/6” (loans which charge 20 percent interest), or financing (arranged by the recruitment agency).

Both the survey and qualitative data point to the importance of personal networks in the pre-migration stage, mostly as a source of information (particularly referrals to recruitment agencies) and financial resources. Other than the most basic information (i.e., identifying recruitment agencies), it appears that migrants do not actively seek further information about migration-related issues.

The role of the government and NGOs as a source of migration information is very minimal in the pre-migration stage. The only exception is the POEA. While 84.3 percent of migrants did approach the POEA, it was mostly to verify whether they were dealing with a licensed agency. Other than this, migrants hardly sought out government agencies or NGOs to know other details about the application process. The FGDs and in-depth interviews confirmed this limited information search.

### *The Application Process*

► The steps and the requirements (other than fees, which will be taken up separately) in the application process are straightforward and are generally known to respondents. For the agency hires, the usual steps and requirements involve the following:

- Preparing the documents: The basic requirements are: resume or biodata; two passport size pictures; birth certificate (and marriage certificate, if applicable) from the National Statistics Office (NSO); clearance from the National Bureau of Investigation (NBI); school credentials/diploma from high school or college; and a valid passport from the (Department of Foreign Affairs (DFA). Additional requirements may be required, if applicable: a certified copy of license from the Philippine Regulatory Commission (PRC); trade test/caregiver training certificate; and employment certificates.
- Submitting the documents to the recruitment agency
- Taking a medical exam, upon the advice of the recruitment agency (i.e., presumably after an employer has been found for the applicant)
- Processing the documents in POEA
- Attending PDOS at an accredited PDOS provider (while waiting for their visa)

- Securing an e-Receipt (which serves as exit permit and proof of payment) and e-card (which serves as proof of OWWA membership, ATM card for remittance, and debit/discount card)
- Submitting to a final check of documents at the Labor Assistance Counter (LAC) in the airport at the point of departure

For agency hires, an interview with the prospective employers (or principals) may be part of the preliminary screening procedures. For the direct hires, the steps and the documents required are similar, except that applicants do not go through the recruitment agencies; instead, they deal directly with the POEA. In some instances, applicants who found jobs through their contacts abroad may go through an agency for the processing of their documents.

In the steps mentioned above, applicants will have to deal with several government agencies, notably, the NSO, PRC and DFA. FGD participants (particularly, the nurses group) mentioned having to go to Malacañang for authentication of some documents, as a step before the DFA will review and authenticate these documents. They wondered why they had to go to Manila City Hall for authentication of their employment certificate – which did not make sense to them because their work experience was elsewhere. Although most applicants did not experience problems with these government agencies, several mentioned incidents of extortion and paying excessive fees, which a few experienced themselves or which happened to people known to them. Encounters with or stories about fixers in the DFA and Manila City Hall were mentioned in the FGDs.

Further details about the experiences of different types of migrant workers in complying with the various requirements are described in Boxes 1-6. Although the requirements are similar and process are similar, those who were direct hires (see professionals and male non-professionals) encountered fewer problems. They were not only unburdened by the placement fees, but they also had a shorter waiting period compared with the other categories.

**Box 1**  
**The Application Process: Domestic Workers**

There were two FGDs conducted for domestic workers: one group consisted of Mindanao participants, and the other one had participants from Luzon and Visayas.

All the seven participants from Mindanao were first-timers; all were applying for the Middle East – three for Lebanon; two for Saudi Arabia; and two for the UAE. The seven participants in the Luzon and Visayas had different destinations – two were going to Israel, one to the UAE, one to Saudi, and three to Asian countries (Taiwan, Malaysia and Singapore). Three migrants of the latter group were caregivers (i.e., the ones going to Israel and Taiwan).

*Recruitment, Documents and Fees: Mindanao Group*

Six of the seven migrants from Mindanao were recruited by an agent, usually by someone who was not a complete stranger. An agent wins the trust of migrants either because she is known to the family or is known to have successfully negotiated for the overseas employment of others in the community. The agent either accompanies her recruit to Manila, or endorses the migrant to another person in Manila.

As in other groups, the documentary requirements were similar across applicants in different agencies. For some applicants, it was their agency which paid for their medical exam; others paid between P1,500 to P2,800.

The payment for the placement fees was very variable. One applicant reported that she would have three months salary deduction from her expected salary of US\$200. She was not sure how much would be deducted from her, whether it will be half or the whole amount. Assuming that this is correct, the agent's commission, thus, would amount from US\$300 to US\$600. In other cases, the salary deduction would be two months. In some cases, the share of the agent reflects the agent's expenses in support of the migrant before her deployment. For example, two participants shared that their agent took care of her board and lodging in Manila. In the case of one applicant, she would have four months salary deduction – three months of her salary would go to the recruitment agency, and one month to the agent.

An estimate of their total expenses ranged from P6,000-8,000 (she was staying with a cousin) to P20,000 (she had been in Manila for seven months). While waiting for deployment, their parents send them money. One migrant was able to find a job as a domestic worker to tide her over.

The time from their application to their scheduled deployment ranged from one month to seven months. For them, the most trying experience while applying for an overseas job was the financial part.

They claimed they had been briefed about their work, responsibilities and benefits; not all had signed a contract at the time of the FGD.

They had heard of domestic workers who were maltreated, assaulted or detained by their employers. According to one participant, "If you have faith in God, if you have a strong fighting spirit, if you pray hard, it will be all right."

*Recruitment, Document and Fees: Luzon & Visayas Group*

Of the seven women, three had worked abroad before – one in Singapore and Taiwan, and one each in Saudi Arabia and Hong Kong.

Unlike the Mindanao group, the women in this group obtained their jobs through the referrals of family members and friends; the one exception found the job opening from a DOLE announcement.

Due to their various destinations, they paid different amounts for the medical fees, ranging from nothing (because their agency paid for it) to P3,800 (which included phase 2 of the medical exam).

Three of the participants claimed that they did not have to pay for placement (nor did they say that they will have salary deductions). Those going to Israel had the largest placement fee – one paid US\$4,200 the other paid US\$3,800. The applicant for Dubai had to pay P55,000. The most common source of funds was a loan from a family member; other participants sought loans from 5/6 arrangements and by pawning land.

Except for the long queues, they did not have much difficulty in approaching different government agencies.

The waiting time, from application to scheduled deployment, varied from two months to a year. The applicant who had been waiting for a year was on the point of giving up.

While the participants were sharing the problems that they experienced while working abroad (one was harassed by her male employer, another one had noodles for four months), one participant said that she felt like backing out.

To prepare for their departure, they mentioned prayers, the need to strengthen one's resolve and determination, and to have enough sleep.

They all planned to return home – some only wanted to work for one contract; others would like to see how things go.

## Box 2

### The Application Process: Band Members

Aside from the entertainers who go to Japan, there is another type of entertainers who are part of the Filipino global workforce: band members. Unlike the Japan-bound entertainers, bands may consist of male and female members (there can be all-male or all-female groups as well). These entertainers travel as a group. They may be seasoned musicians, or bands assembled by a booking agency.

#### *Leaving With or Without the ARB*

Unlike the entertainers and band members legally deployed to Japan, those going to other countries may actually bypass processing at POEA. Not all countries require an Artist Record Book or ARB (which has been replaced by the Artist Accreditation Card as of 25 August 2004); thus, they leave as tourists, and then secure a work permit in the destination countries.

Band members who leave without an ARB may be questioned and held by immigration authorities in the Philippines. As participants in an FGD related, their appearance (long hair, manner of dressing) could give them away. Immigration authorities would ask for their POEA clearance, or else they pay for "escort service" (i.e., they will approach a designated immigration personnel, for a fee). When one member gets stopped at immigration, the rest of the band members (even if they had already passed through immigration) may be stopped from leaving. The escort fee is one of the items that eventually figures in the salary deductions.

#### *Salary matters*

Like the entertainers legally deployed to Japan, band members do not pay a placement fee upfront. Instead, they have a salary deduction scheme, which varies depending on many factors, such as the

pre-departure services provided by the promotions agency, and their actual salaries. A, a female band member, explained these gray areas as follows:

"It depends on what we agree on. It can be three months or six months, and whether we had cash advances when we were practicing, e.g., for transportation. Most of the time, we had to let go of local bookings so we can practice. We work but we had to practice in the mornings. It's difficult, isn't it? When we confirmed bookings, we let go of local engagements, we devote our time to rehearsals. With this agency, they can give one month cash advance if you wish. Perhaps for your family, because you will not be able to send money right away; it will be after one month, right? So they will deduct, say, 3 months, 4 months and then divide the total amount. Perhaps, initially it will be 20 percent, the next time, 30 percent, 40 percent, until you complete it.

The salary varies by contract. Other contracts are good paying. The others are below the minimum. It depends on what is acceptable to you, whatever standards you will set for yourself. For example, if you want to be professional about it, you can really demand, you can say, "this is my price." But there are times, let's say in times of necessity, you are in a hurry to leave, so you may accept the terms that are acceptable to you."

The salary could depend on the destination. Participants shared that in Japan, first timers could fetch US\$500 to US\$600 (or it could be as low as US\$450). Places like East Sarawak offer below US\$500.

The band members who were interviewed recommended the following: a standard salary for musicians, mandatory medical examination prior to deployment, and health coverage while they are abroad.

\*Data from key interviews with band members have also been incorporated in this profile.

### **Box 3**

#### **The Application Process: Factory Workers**

There were eight participants in this group, of whom five had worked abroad: four had worked in Taiwan as factory workers, one was a former domestic worker in the UAE. They started their application between one month and six months ago. Seven were scheduled for deployment to Taiwan in July; and the other one was scheduled for August.

They had approached three to seven agencies. All said that they checked with POEA whether they were dealing with a licensed agency. One participant was assured about the status of her agency because her sister used the same one.

#### *Documents and Fees*

The documentary requirements are the same across all agencies. Some agencies require the submission of original passports, while a photocopy would be sufficient for some.

Participants were surprised to discover paying different amounts for the medical exam – some paid P1,700; others paid P2,000. Participants from one agency did not have to pay for their medical exam as this was paid for by their agency.

Asked about the total expenses – placement, medical exam, transportation, food and other incidentals – some participants estimated that they had spent between P75,000 to P120,000 (the latter had to commute to Manila).

They sourced these funds by borrowing from family members, borrowing from a lending company, pawning land or jewelry, or a combination of these strategies. They hoped to repay their debts by working overtime and by saving.

In general, their experiences with the different government agencies where they had to secure documents were favorable. The one problem that was commonly mentioned was waiting for their deployment, and the hassle (and expense) of having to follow up from the agency.

*Contract-related Matters*

Some participants said that their working and living conditions had been explained to them (no details were provided); the others had yet to receive a briefing.

Some participants were aware of some of the problems Filipino workers experience in Taiwan. A former migrant had experienced not being paid for their overtime; they complained to the Council of Labor Affairs. They did not receive any compensation; instead, they were told that in a year, there are four days of work that are donated to the company. She said that this was not explained to them beforehand, as were other things that one gets to find out only in Taiwan.

In preparing to leave for Taiwan, they were looking forward to save, to send money home, and to repay their debts (which were already accumulating interest).

*Return Plans*

All planned to be able to work in Taiwan for up to six years, the maximum, if possible. All said they wanted to return to the Philippines – and to set up a business.

For this group, if they could earn P15,000 a month (one gave a range of P15,000 to P20,000), they would rather work in the Philippines and be with their families. If only the salaries in the Philippines were somewhat higher, they would rather not go abroad.

**Box 4**  
**The Application Process: Nurses**

All the six nurses who participated in the FGD already had an employer and were waiting for deployment. At the time of the FGD (8 June 2004), one of them was scheduled to leave for Saudi Arabia the following day. Three of the FGD participants knew each other, being co-workers in the same hospital. All three were waiting for deployment to the UK, where many of their co-workers had preceded them.

*Documents and Fees*

The FGD with the nurses uncovered the many documents that they had to gather. Some documents (transcript of records, diploma, license from the Philippine Regulatory Commission), have to be authenticated by Malacañang (at P50/page) before they will be accepted at the Department of Foreign Affairs.

The UK applicants did a lot of shopping around for an agency. According to them, they must have approached eight to 10 agencies before making their choice. They mentioned referrals of friends and relatives, and to some extent, newspaper announcements, as bases for looking for an agency.

The placement fees for nurses going to the UK and those going to Saudi Arabia differed markedly.

Two of those who were applying for the UK said they had to pay P50,000 as placement fee; according to the explanation given them, this amount will cover their round-trip transportation. They heard that others charge P100,000 while some agencies do not charge any fee at all. As explained to them, it depends on the principal – some principals assume the placement fee (although it is not clear whether there will be salary deductions later on) while some require that the applicants themselves bear the placement costs.

One participant was weighing her options, trying to decide whether she would return to Kuwait, where she did not have to spend for placement, or go to the UK, for which she had to pay L1,000.

The two participants who were going to Saudi Arabia spent less than P5,000 for the processing as they were placed by POEA.

All (especially those applying for the UK) claimed that they had spent a lot of money; they could not come up with a total figure, except to say that their expenses had been considerable. Considering that they came from Mindanao, they also had to spend for transportation and board and lodging in Manila.

In general, the period from the time that they lodged their application and their scheduled deployment took one month to three months (except for one applicant who applied for Kuwait as early as April 2003, and for the UK in December 2003). They were waiting to be notified of their deployment at the time of the FGD.

*What Lies Ahead*

The UK applicants were going to be assigned in home care (nursing homes). They were informed that their normal working week would consist of 37 hours. Their monthly salary would be equivalent to P100,000. Their initial contract is for two years and renewable thereafter.

The two who were going to Saudi Arabia were warned by those who had worked in the Kingdom about potential problems. One of the applicants was going to be assigned in a hospital dispensary, a clinic rather than a hospital. The others advised her to bring a cell phone and to know the numbers of the embassy so that she can call or text in case of problems.

Interestingly, when asked what kinds of preparation they were undertaking in view of their departure, they all answered "money," money to fulfill their placement fees.

*Returning to the Philippines*

Those going to the UK have the possibility of having their family members join them after six or seven months. They could not say how long they would work in the UK. If ever they will return, they will not return to nursing. As one of them quipped:

"We would have already gone from rags to riches (everybody is laughing) and then we will return to it? It is difficult to say for sure, but it is unlikely that we will work as nurses in the Philippines."

A, male, nurse-applicant to the UK

If they could earn the equivalent of their salary abroad (P100,000 in the case of the UK-bound applicants), they might be encouraged to stay.

**Box 5**

**The Application Process: Male Non-Professionals**

This group consisted of six male nonprofessionals – construction, cable, and roofing. They were all direct hires. Two were applying for Brunei; three for Spain; and one for Seychelles. At the time of the FGD (10 August 2004), only one had a definite schedule of departure; the rest were still waiting for deployment. One had applied one year and eight months ago before he would be deployed; the others had a shorter waiting period, one month to seven months.

They did not have much comment about the requirements, except the medical exam. One participant spent P5,000 for his medical exam because, according to him, he was diagnosed with various illnesses. He claimed that he had good vision, but he was required to have glasses, for which he spent P1,400.

Asked about their total expenses, one participant estimated close to P20,000, including transportation expenses. Another participant volunteered that if one were very careful, the expenses would probably total P10,000 to P15,000.

All claimed that they borrowed money to cover all their expenses. If one were lucky, or if one did not get homesick, they would be able to pay their loans.

Since they were direct hires, they dealt mostly with POEA. Due to the volume of people who come to POEA, they had to spend some time in the office. One participant said that going through POEA was faster compared to going through an agency.

Despite the long waiting period for some, it did not occur to them to give up because they had already spent a lot.

For those who are direct hires, it appears that it is through the PDOS (or by studying the contract) that they get to know about their working conditions. One participant relied on the information provided by his relative:

"[Q: Have your relatives mentioned any negative things?] Always the good things. You can see that your relatives have moved up, that is why, you are not likely to get into it if you see that they are not doing well."

*Return Plans*

Three of the six mentioned working abroad for four to eight years; another one will see how the first contract goes; one planned to work abroad for as long as he can; another one was waiting to migrate to Canada.

**Box 6**

**The Application Process: Professionals**

The group of professionals who took part in the FGD (n=6) consisted of a physical therapist, an occupational therapist, a dental technician, an accountant and two managers of a multinational company. All were scheduled to leave within the next two months from the time of the FGD (19 July 2004) – two each for Singapore and Malaysia, and the two therapists for the US.

With the exception of the dental technician (who had vocational training), the rest were college graduates. Their monthly earnings revealed gross differences. At the high end were the two managers who earned P56,000 and P80,000 per month; the accountant had a monthly salary of P35,000. One of the therapists was earning P8,000 while the other one was a volunteer and part-time instructor (for which she earned P1,700/month). The dental technician, who was working for his sibling, was earning P200/day.

*Documents and Fees*

Other than the two therapists who had to submit many requirements and had to wait for up to two years, the rest of the migrants in this group were able to process their papers in one to two months' time. All four also did not have to pay placement fees at all. Their only expenses were on items like communications, transportation and processing fees. One participant claimed he spent a total of P30,000 for long-distance calls, processing, passport, photos, faxes and the like.

There were some basic information about pre-migration processes that some of them were not aware of. The accountant-applicant did not know that she had to take a medical exam from one of the accredited hospitals or clinics. She had just taken her annual medical exam in her former place of work, but she was told that she had to undergo another exam. The dental assistant did not know about the PDOS requirement. He was stopped at the airport because it was found out that he had not taken PDOS.

Other than these minor incidents, the rest did not have any major problem in the processing of their applications. They had some reservations about having to undergo PDOS, but on the whole, they thought it was helpful.

*Contracts and Related Matters*

They all had signed a contract and were aware of the work and living conditions awaiting them. In the case of the managers and the accountant, they were consulted in the drafting of their benefits package. In the case of the two managers, they will bring their family members with them.

*Return Plans*

The therapists about to leave for the US were open to the idea of remaining there. In the case of the others who will be based in Singapore or Malaysia, their contracts were open-ended, which will be renegotiated between them and their employers.

*The Great Unknown: Fees*

► The issue of fees proved to be a very unwieldy aspect of the pre-migration stage. Migrants reported much variation in the fees they paid for placement, medical examination, documentation, and training. In part, this variation is understandable given the variety of occupational categories and destinations of Filipino migrants. Table 8 presents the range of placement fees that respondents reportedly paid their recruitment agencies (taking into account possible errors in reporting). However, when these two variables are controlled for, some differences remain, and this is where the role of recruitment agencies and the lack of information on the part of migrants come in as intervening factors.

**Table 8**  
**Placement Fees by Occupation and Country**

<b>Occupation/Country</b>	<b>Placement Fee*</b>
<i>Nurses</i>	
US, Saudi Arabia, Other Gulf	None
Taiwan	P50,000.00
Bahrain	P70,000.00
Other Gulf countries	P58,512.30
Australia	P172,750.60
<i>Midwife</i>	
UK	P50,000.00
Taiwan	P60,100.00
<i>Teachers</i>	
US, Other Gulf countries	None
US	P111,452.00-306,493.00
<i>IT</i>	
Singapore	P91,087.37
US	P139,315.00
<i>Engineers, Architects</i>	
Africa	None
Other Gulf countries	P30,000.00
<i>Sales Workers</i>	
Kuwait	P25,000.00
<i>Domestic Workers</i>	
UAE, Kuwait, Saudi Arabia, Other Middle East	No placement fee
Kuwait	P10,000.00
Cyprus	P15,000.00-65,000.00
Singapore	P20,000.00-58,556.16
Malaysia	P22,290.40
Saudi Arabia	P5,000.00-30,000.00
Hong Kong	P14,000.00-101,313.20
Saipan	P16,717.80
Other Gulf	P18,389.58
Taiwan	P20,000.00-80,000.00
UAE	P5,000.00-33,435.60

Other Middle East (e.g., Lebanon)	P5,000-45,000.00
<i>Caregivers</i>	
Taiwan	P23,760.00-92,000.00
Israel	P28,000-250,767.00
Canada	None-83,589.00
<i>Factory Workers</i>	
Malaysia	None
Taiwan	P26,101.76-260,000.00
Brunei	P42,000.00
Korea	P140,000.00
<i>Construction Workers</i>	
Africa, Saudi Arabia	None
Saudi Arabia	P20,618.62

Source: 2004 Pre-Migration Survey

\* Some amounts were given in foreign currency and were converted into Philippine peso.

### Placement Fees

The standard placement fee for agency hires is the equivalent of one month's salary. Direct hires or POEA hires do not have a placement fee.

In general terms, migrants did not know much about the standard placement fees for the job and destination they were applying for. More than a third of respondents in the survey – 37.3 percent – claimed that they did not know the standard placement fee for their intended job. Those who provided an answer mentioned amounts ranging from none to P260,000. This wide range reflects the range of occupational categories and destinations and the fact that some were direct hires and others were agency hires.

Migrants' lack of knowledge, lack of interest or lack of choice about the standard or legal placement fees predisposes them to abuse by recruitment agencies. According to some participants in the FGDs and in-depth interviews, the standard fees are for POEA's eyes and ears only. They claimed that agencies prompted them on the "correct" answers in case they were asked by POEA.

Nineteen of the 46 direct hires (41.3 percent) in the survey said that they did not pay any placement fees. Of those who reported paying placement fees (n=27 respondents), the amount ranged from P5,500 to P172,750: 18 respondents paid less than P30,000, while nine paid over P30,000 to a high of P172,750.

Of the 270 agency hires who provided information on placement fees, nine claimed that they did not have to pay anything. The majority who did, however, paid between P4,500 and P260,000. The modal amount (n=27 respondents) was P75,000. Altogether, 41.1 percent paid less than P30,000; another 38.1 percent paid between more than P30,000 to P80,000; and a sizable 20.7 percent paid between more than P80,000 and P260,000.

OPAs normally do not pay a placement fee upfront, but they have salary deductions once they are abroad (see also Box 2). Some recruitment agencies which deploy other workers have also resorted to this practice. According to the survey data, 28 percent of respondents had this arrangement with their agencies; another 20 percent had an arrangement with some payments prior to departure and the rest will be paid out in installments. The qualitative data suggest that those who initially claimed that they had no placement fees turned out to have salary deductions arrangements with their recruitment agencies. Several FGD participants did not provide (or did not have) much details about the number of months and the amount to be paid. For example, in the domestic workers group, one participant related that she expected to receive US\$200 per month, but she was not sure how much will be deducted. She said, “It depends on what we will agree on ... perhaps half, perhaps the full amount.” Another participant shared that she will have salary deductions for four months – three months will go to the placement agency, and one month to her recruiter. The other participants reported salary deductions between two months and four months.

The idea of salary deduction is appealing to prospective migrant workers as it “helps” lessen the burden of meeting the placement fee. However, as described above, the nebulous terms of the scheme puts migrants at a disadvantage. Tied as they are to a debt, they are forced to work even under unfavorable circumstances; in this sense, the salary deductions put migrants in a situation akin to debt bondage. Recruitment agencies, both licensed and unlicensed ones also engage in other schemes that trap prospective migrants in a disadvantaged position (see Box 7). While there are errant and unscrupulous recruitment agencies, there are also some which have instituted good practices (see Box 8).

**Box 7**  
**Salary Deductions and Other Schemes Used by Recruitment Agencies**

The salary deduction scheme is a common strategy used by illegal recruiters as well as licensed recruitment agencies which engage in irregular practices to victimize job seekers. Whenever POEA comes to investigate, the agency would show documents that the deduction is in accordance with prescribed rules. However, this is only for show. In reality, the agency has had an agreement with the employer to deduct more than the legal fees from the worker's salary. Or the agency does not issue a receipt at all.

Another scheme is referring the worker to a lending agency. The latter will then require the worker to open a bank account and to issue post-dated checks in favor of the agency. The worker will have to ensure that he or she has funds on the due dates, otherwise he or she may be charged with bouncing check.

Agencies may also require workers to sign an undated affidavit of withdrawal or desistance while their applications are being processed. In case the workers file a complaint, the agency will then present the signed affidavit of desistance.

Another scheme is deploying workers as tourists (i.e., bypassing POEA) and using the "escort services" to send workers out. In the event the workers are caught or questioned, the agencies can claim that the workers have withdrawn their papers from them.

\*Based on Interview with key informant from POEA (9 September 2004)

### **Box 8**

#### **Good Practices by Recruitment Agencies**

Amidst widespread reports of wrong doing by recruitment agencies, there are agencies which have implemented good practices. One key informant, a PDOS-provider, said that he knows of many good agencies who do engage in business, but they do not abuse their workers (Interview, 26 May 2004).

The POEA confers awards of excellence to top performing agencies in recognition of top industry performers and those which have done well in complying with the regulations. The new rules may also encourage compliance because once penalties are imposed, an interruption in their operations will result in a slowdown in business (Interview with a POEA official, 9 September 2004).

Following are some examples of good practices by recruitment agencies that enhance workers' protection:

- Some agencies deploy workers only to countries that have a good record of protecting migrant workers.
- Some agencies go out of their way to check the background of prospective employers, which is also a way to check worker abuse and exploitation. Other agencies have also taken the step to orient prospective employers about Philippine laws.
- There are agencies which provide very good briefing for their workers prior to their deployment. In addition, some which conduct post-employment services, getting feedback from their<sup>12</sup> In part, these

<sup>12</sup> For example, band members who participated in the study shared that the head of their booking agency visits them on site to check on their conditions. He also gives out bonus during these visits.

measures are prompted by the joint and solidary liability, i.e., if something happens to the worker abroad, the recruitment agency has some accountability towards the worker.

\* Based on interviews with POEA personnel (9 September 2004; 19 May 2004).

Highly skilled migrants who go through recruitment agencies also have to wrestle with placement fees. One way of coping with agency fees is to scout for placement agencies that would charge less, which may imply a change in the destination countries. In the nurses' FGD, for example, participants noted that while the UK offers a high salary, the placement fee can be as steep as L1,000 (according to them, there are also some agencies which do not charge anything). One participant who was having difficulty in raising the placement fee for the UK was considering to return to Kuwait, where is no placement fee. She added that while the salary in Kuwait is lower (US\$1,300-1,500), it is tax-free.

The destination can be an important determinant of the cost of the placement fee because of the salaries associated with it. The higher the expected salary, the higher the placement fee. In the survey, those who were going to the US paid a six-digit placement fee. For example, the 21 respondents in the survey who were recruited as teachers paid between P111,452 and P306,493. One respondent who will be working in the IT sector paid a placement fee of P139, 315. In the FGD with the professionals group, a physical therapist shared that she paid US\$2,900 to a placement agency in the US; in addition, she will have a salary deduction of US\$200/month (the number of months was not specified).

As in the study on irregular migration (Battistella and Asis, 2003), the respondents did not complain as such about the placement fees, although they did acknowledge that it was not easy to raise the amount. They believe that they will recover their expenses. In the case of nurses and medical personnel, since they had a fairly good idea about their wages, it was easy for them to map out when they would recoup all their expenses.

### *Medical Exam Fees*

The survey also uncovered a very wide range in the medical fees reported by migrants, from P150 to P35,000. The modal category is P3,000.

Again, the destination makes a difference: in the UK and the US, the medical exam is said to cost P5,000 because of additional tests; for the other destinations and skills, the costs generally run between P2,500 to P2,800. There were also those who answered that they did not pay at all since their agencies assumed the costs of the medical exam.

During the FGDs, migrants got to find out about the different fees for the same test or procedure during the sharing of information. For example, women migrants were surprised to know that they paid different amounts for the pregnancy test and stool examination that they had to retake prior to departure. Some said they only paid P150 for these procedures, while the others paid P600.

In addition to the basic pre-employment medical exam, the examining doctor may require migrant workers to undergo other procedures or treatments. For example, in the course of the dental exam, the dentist would require tooth extraction or filling; or a doctor may prescribe glasses; or treatment for newly discovered illnesses. It is possible that some of these are truly necessary. Migrants, however, suspected that these additional requirements were money-generating schemes. Moreover, they were coercive as migrants had no choice but to comply, otherwise, the clinics will not issue the certification indicating their fitness for employment.

### *OWWA Membership*

Most respondents were unable to provide the correct information about the OWWA membership fee of US\$25. This fee is supposed to be paid by the employer or recruitment agency. Some 62 percent of respondents did not provide any information on this item. Those who did, cited figures ranging from P100 to P7,676; the modal category was P900. It is possible that migrants confused the OWWA membership fee with other fees, hence they gave different figures. Some 15 percent said they did not pay for OWWA membership, possibly because their employer or placement agency did.

### *Total Costs*

Very few migrants spelled out the details of the expenses they incurred in applying for a job abroad. In the survey, few respondents provided information on the various items. The in-depth interviews were conducted to probe further into the financial issues behind the migration project.

When total costs are considered, the expenses can pile up. Even for direct hires, they may be free of placement fees, but there are other incidentals. For example, in the professional group, putting the documents together, communications costs, transportation costs and so forth could also be substantial. Two participants in this group estimated that they must have spent P30,000 for mailing, communication, reproduction costs and the like.

The highest estimated costs recorded by the study were those reported by two applicants who were leaving for the US. One of them, an occupational therapist, said that he spent close to P500,000 for his application. Another applicant, a physical therapist, claimed that she had spent about a little less than half a million. Both explained that the US requires many exams and subjects applicants' credentials to a lengthy assessment process. The processing and evaluation of their application took two to two-and-a-half years. Both were confident that they would be able to recover their expenses in 2-3 months' time.

#### *Problems Encountered in the Pre-Migration Stage*

► Asked to assess their encounters and dealings with placement agencies, medical clinics, training centers, government agencies, and NGOs, respondents generally said that they were "happy" to "very happy" with their encounters with the different offices. There were references to some irregularities committed by some personnel in the DFA in the application for passports and authentication, or in the airport where migrants who had not taken PDOS were allowed to leave after paying a fine of P2,500.

The most commonly cited problem was raising the money for the placement fees and other expenses. Interestingly, despite this, migrants did not complain about the practices of recruitment agencies. Instead, migrants focused their attention on how they could raise the placement fee. For example, when FGD participants were asked about how they were preparing for their departure, most identified the need to raise the amount needed to cover the rest of the placement fee.

The time between the filing of application and the actual departure could be as short as a month or it can span an extended period of time. The delay could be frustrating to migrants as it means more expenses and more foregone earnings. Although they tended to joke about it, migrants frequently referred to the accumulating interest with every delay that they

experience. Nurses and medical personnel applying to the US were burdened by the many evaluations and tests that they had to undergo. The loss of some documents could lengthen the waiting time. For other types of workers, the delay was shorter.

*Information about the Contract, Working and Living Conditions*

► At the time of the survey, 79.1 percent have signed the contract. Their level of knowledge about their working and living conditions abroad indicated that:

- 89 percent knew about their monthly salary (ranged from P6,652 to P362,219)
- 59.4 percent had an idea about the number of days off they will have in a month (of whom, 5.5 percent said they will have none; 19.5 percent will have 1-3 days; 56.1 percent will have 4 days; 18.9 percent will have more than 4 days)
- 76.3% said that they will have health insurance

Almost all reported that they had been informed of their responsibilities (97 percent) and rights (96 percent). The survey was unable to probe further details on the extent of their knowledge of their rights and corresponding responsibilities.

According to FGD participants, the contract signed in the Philippines does not provide assurance that the conditions will be honored. The real test, according to them, are the actual conditions of the worker when he or she is already in the destination. Professionals, such as nurses, are not spared of contract violations. For example, a nurse, V, related that she was hired as an operating room nurse for a hospital in Jeddah. However, when she got there, she was redeployed to Najaran and was assigned to the operating room of the dental department. She said, "I cried because I did not want to work in a dental clinic, but I could not do anything because I was already there." Initially, she was told that she had no placement fee, but after attending the PDOS, she was made to sign a promissory note for salary deductions.

When actual conditions turn out to be unfavorable, one option is to terminate the contract – but with migrants shouldering the costs. An example is the experience of L, a former domestic worker to Hong Kong. She did not have major problems with her employer. She decided to terminate her contract after four months because she was given instant noodles everyday for lunch, which she feared would be bad for her health. The noodles were also not sufficient for the strenuous work that she was doing. Another former migrant to Hong Kong,

A, experienced harassment from her male employer. She left after six months – at the time of the study, she was waiting for her deployment to Malaysia. Like L, she was hoping that she would be able to offset the losses she incurred when she worked in Hong Kong.

The study also probed into migrants' assessment of PDOS. Eighty-four percent of the respondents considered the information provided by PDOS as "useful" to "very useful." Although some participants said that they initially had reservations about it, they found out that the seminar does provide useful information about working abroad. They recognized that PDOS would be particularly useful for first-timers. Among others, it was suggested that more country-specific information should be presented and to allow for more discussions organized into smaller groups.

On the part of the providers, while they recognize the importance of country-specific information, they admitted that this was difficult to implement due to lack of resources. NGO providers tend to think that industry providers go about PDOS haphazardly. For example, the conduct of two PDOS sessions a day is suspect. Given the many topics that must be covered, a half-day session suggests a lot of skipping or surface treatment of the topics. As observed by one informant, industry providers do not cover contracts in their discussions as this would be prejudicial to their interests (Interview1, 26 May 2004). Another informant shared that the PDOS is one of the interventions that is focused on the welfare of the workers (Interview2, 26 May 2004). PDOS providers also acknowledged that the fee (typically P100) is supposed to be paid by the agency (as part of the processing fees paid by applicants). According to informants, the receipt is issued to the agency, although it is actually the worker who pays (Interview1, 26 May 2004; Interview2, 26 May 2004).

#### *Other Information*

Majority of migrants were aware of the problems migrants encounter in the Philippines (8 out of 10) and abroad (9 out of 10). More than half – 55.3 percent – said they were not affected by these news or reports; 48 percent claimed that they were affected by these reports. However, despite some reservations, for most migrant workers, there was no turning back. In the FGDs, they expressed that they had already spent a lot; for some, the interest on their loans was already ticking and they had no choice but to persevere. For most migrants, their major preparation is prayer and strengthening their resolve. Thus, when migrants leave, they literally leave on a wing and a prayer.

*Access to Support Abroad*

► As mentioned earlier, most migrant workers (66 percent) had a relative or friend in the country where they will work. Eighty-four percent said they knew of someone or an organization/agency who could help them should they encounter problems.

If government agencies had a negligible role in the pre-migration stage, they are the primary source of assistance identified by migrants in case they meet problems in the destination country. Family networks came next as a potential source of assistance (Table 9). The Church and NGOs also figured more in the migration stage than in the pre-migration stage. In general, migrants tended to mention Philippine institutions as a source of assistance than the institutions of the country of destination.

**Table 9**  
***Who to Approach in Case of Problems Abroad***

<b>Person/Agency</b>	<b>Percent</b>
Phil. offices (Embassies, etc)	46.8
Relatives, friends	31.8
Church/NGOs, Phils & abroad	10.5
Recruitment agency, Phils & abroad	7.0
Host govt offices	2.8
Broker, employment agency abroad	1.1
<b>Total</b>	<b>100.0</b> (n=754)

*Source: 2004 Pre-Migration Survey*

*Return to the Philippines/Other Plans*

► Majority of respondents in the survey – 60.7 percent – did not know how long they would work abroad. For those who had some timeframe (39.3 percent), about half (52.4 percent) planned on working abroad for one contract and to return to the country in two years; 26 percent said they intended to return in 3-4 years; 13.2 percent, in 5-6 years; and 8.6 percent in 7 years or more.

The dream of the great majority – 88.4 percent – was to set up a business upon their return; only 4.8 percent planned on local employment; and the rest had in mind to retire and to engage in other activities. Migrants' plans upon their return to the Philippines have to be taken into account in the drafting of reintegration programs and in the consideration of migrants' contributions to development processes.

## DISCUSSION AND CONCLUSIONS

► The study highlighted that migrants who go through the *legal* channels are not fully protected in the pre-migration stage. Although they go through the legal process, migrants encounter irregular practices, the most common of which is the rampant violation of the standard placement fee. As the study documented, migrants who were agency hires *rarely* paid the standard placement fee.

In part, this situation has arisen because many migrants were not aware of the standard placement fee – it is also possible that migrants did not bother to verify the standard fee because it is widely known that this is not observed. Rather than be discouraged, migrants addressed the problem by seeking means to fulfill the requirement.

In order to meet the placement fee, migrants sought the help of family members (oftentimes those based abroad) for loans. Those without such social capital seek or pawn some property, or seek loans (including “5/6” arrangements, or with lending agencies), or enter into salary deductions with the recruitment agencies. The study suggested that migrants did not inquire into other details regarding salary deductions – e.g., the terms of the deductions, how much deduction for how long.

The study did not uncover major problems during the pre-migration stage, except for the placement fee. Although some complaints were voiced out about long queues or fixers, the study did not find major or rampant irregularities in the conduct of government offices which migrants had to deal with. Also, migrants did not attribute serious problems in their dealings with their recruitment agencies. In certain cases, recruitment agencies “assistance” to migrants in the form of salary deductions or referral to placement agencies, or by providing lodging while migrants wait for deployment (in exchange for cleaning services on the part of migrants).

In view of the non-compliance of recruitment agencies on the one hand, and the acquiescence of migrant workers to the terms imposed by the agencies on the other, the standard placement fee has become pointless. It has lost its teeth and is treated more like a suggestion rather than as regulation. The study, thus, recommends a review of the policy and a careful study of viable alternatives (see Box 9). Direct hiring, for example, lowers the

financial costs, but it also leaves migrant workers fully accountable for negotiating with the employers the terms or conditions of work. Highly skilled or professional migrants may benefit from direct hiring; safety nets may be necessary for the less skilled and those in vulnerable occupations such as domestic workers.

**Box 9**  
**The Standard Placement Fee: Are There Alternatives?**

What use does the standard placement fee serve if it is routinely violated? What alternatives are there in lieu of the standard placement fee? These questions were discussed during the dissemination-validation workshop of the project held on 12 November 2004.

The project recommended that this policy should be reviewed in consultation with the affected sectors and stakeholders. There are three possible scenarios:

1. *Retain the standard placement fee as a regulatory measure:* At the least, the amount serves as a benchmark in an otherwise free-wheeling labor market.

If it is to be retained, several measures have to be strengthened in four areas. In the area of public information and education, basic information on the standard placement fees should be more widely disseminated. Recruitment agencies should be required to post the legal placement fees in their offices, and the display of these notices can be included in the checklist of things for the monitoring of agencies.

In the specific area of migrants' education, more inputs on the benefits of going through the legal channels of migration and the legal recourses in case of problems should be emphasized. The challenge in migrants' education is not just the content, but the delivery of these information-education campaigns. As noted by the study, migrants limit their information seeking to their family networks and recruitment agencies. This implies that apart from the mass media approach, these campaigns would have to target local communities. This means working with local governments in designing and carrying out information programs. Likewise the posting of key messages in recruitment agencies would be a means of reaching the migrants.

To enhance compliance by recruitment agencies, the enforcement of rules and regulations should be carried out more systematically. Instead of relying solely on the filing of formal complaints, the POEA should also consider other forms of evidence and reports, e.g., reports filed by NGOs or media reports, at least as preliminary evidence that could warrant initial investigations.

2. *Periodic adjustment of the standard placement fee in keeping with market conditions:* The standard placement fee, according to representatives of the migration industry, is not realistic (see Battistella and Asis, 2003). Due to the stiff competition among the many countries of origin, the migration industry argues that a constant standard placement fee will push them out of the business – which will mean loss of potential jobs for Filipino workers. It would be more realistic if the placement fee were pegged at prevailing market conditions.

3. *Remove the standard placement fee in keeping with the ILO Convention 181(Private Employment Agencies Convention):* Article 7(1) of ILO Convention 181 states that "Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers." The rest of Article 7 qualifies that there should be consultation with representative organizations of employers and workers, that certain categories of workers or specified types of services provided by private employment agencies may be exempted, and that the reasons for the authorized exemptions have to be reported to the ILO.

The Philippines has not ratified this convention. If it does, enforcing the convention will mean doing away with the recruitment agencies altogether. During the 12 November workshop, one of the participants shared that Labor Secretary Patricia Sto. Tomas has written to the ILO Director-General concerning the matter, but there has been no response yet. Another participant commented that this option would be the long road, and in the mean time, immediate action is called for.

In addition to the placement fees, other fees related to the application process proved to be variable. Aside from the consideration that different countries require specific tests, medical exam fees were found to be variable. In some cases, recruitment agencies pay for the medical exam, but in most cases, migrants were responsible for covering this cost. Additional costs are also borne by migrants when they are required to undergo other tests, procedures or treatment, without which they would not be issued a medical certificate. Basic information on medical exams needs to be disseminated more widely so that migrants may be properly guided on the standard fees. Recruitment agencies only honor medical exams conducted by clinics and hospitals affiliated with them; hence, if migrants lodge an application with other recruitment agencies, they need to undergo another medical examination. In order to give migrants more options, the results of the medical exam undertaken by an accredited clinic or hospital should hold and should be honored by recruitment agencies.

Also widely violated are the OWWA membership fees of US\$25 and PDOS fees of P100, which are supposed to be covered by the recruitment agencies. In practice, these costs are routinely passed onto migrant workers.

Altogether, the total costs for the migration project add up to a considerable investment. Migrants expect that they will recover their expenses once they are already abroad. While this may be true for nurses and other medical workers or for factory workers to some extent, the possibility to earn extra income from overtime is unlikely for others (e.g., domestic workers). The expected benefits of migration can only be reaped by migrants until after they have repaid the debts incurred to finance their migration. Furthermore, the possibility of pre-termination of contracts due to difficult working conditions could further erode the expected benefits of migration.

Not surprisingly, migrants' preparations for their eventual departure center on shoring up much-needed finances to cover all the costs related to their departure. Those who cited non-

monetary considerations typically mentioned prayers and strengthening their will and resolve to prepare for their venture into a foreign country. Discussions with family members seem very limited, especially among male migrants. Among women migrants, there were more indications of discussing their migration with family members, especially in explaining the reasons for their departure to the children.

*Information Programs and Migrants' Rights Education*

As mentioned earlier, migrants' personal networks, mostly family members (especially those based abroad), were important sources of information in the pre-migration stage. For prospective migrants, the key issue was finding a recruitment agency and verifying with POEA whether they were dealing with a legitimate agency. Once migrants file an application with recruitment agencies, it appears that migrants do not actively seek out relevant information. Relatives and friends working abroad and recruitment agencies are the major actors that play a prominent role as migrants prepare for overseas employment. Apart from providing information, migrants tend to rely on the former as sources of financial assistance.

According to the study, government agencies and NGOs hardly figure in the migrants' orbit of information sources in the pre-migration stage. Thus, even if POEA has various information programs (Interview, 9 September 2004), basic information (such as standard placement fees) does not reach the migrants. Although there are those who have approached the POEA with reports of illegal exaction and irregularities, they were not inclined to pursue cases against errant agencies for fear that this would prejudice their migration chances.

As the study has demonstrated, migrants tend to have an unquestioning stance vis-à-vis recruitment agencies. Aside from the placement fees and other requirements, migrants also tend to be unquestioning regarding the work contract. Also disturbing is the view of migrants that the standard employment contract is likely to change when they reach the destination countries – this also puts into question the usefulness of the standard employment contract as a regulatory measure. The lack of options in the country contributes to the “no-choice” situation that migrants find themselves in. Information is a basic tool to empower migrants. Given migrants' tendency to rely on their personal networks for migration information, this implies combining different approaches to get to migrants – mass media for general information; Internet sites; dissemination of key messages via

stickers, posters; the use of respected public figures as spokespersons to deliver key messages; and community-based information programs. Partnerships with local governments would be critical in initiating and sustaining community-based information programs towards migrant empowerment.

*Recommendations for PMRW and Migrant NGOs*

- PMRW, in cooperation with other migrants' groups, can spearhead the review of the standard placement fee, a task that is long overdue. It can start the process by initiating dialogues with government agencies, specifically the POEA, in working out a plan of action that would lead to a timely resolution about the standard placement fee or its alternative.
- Also in need of a review and timely resolution is the issue of the standard employment contract.
- PMRW and migrants' groups should continue to build and improve their database of complaints and reports of violations against migrants. These can be consolidated and can be used to lobby the POEA to consider such reports as basis for preliminary investigations into the operations of errant components of the migration industry.
- Migrants' groups such as PMRW are critical in continuing the work of promoting migrants' rights education. In this regard, PMRW must aim to foster linkages and cooperation with local governments; such partnership would help ensure the discussion of migration-related issues in the local communities.
- PMRW should develop linkages and cooperation with trade unions as a critical partner in its advocacy work and various programs. The synergy between migrant NGOs such as PMRW and trade unions can be expected to support each other's work – local workers' issues may benefit from the advocacy of PMRW and other migrant NGOs in their promotion of the rights of migrant workers, and vice-versa.

## APPENDIX 1

### Survey Questionnaire

FOR OFFICE PURPOSES

1. R No. \_\_\_\_\_
2. Date: \_\_\_\_\_
3. Place: \_\_\_\_\_

Good morning/good afternoon.

We would like to request for a few minutes of your time to answer this questionnaire. This is in connection with a study undertaken by the Scalabrini Migration Center. We would like to know how departing migrant workers like you prepare for overseas employment. This will aid us in developing programs and policies to help migrant workers avoid problems and to ensure safer and more successful migration outcomes.

Please be assured that any information you will provide will be held in confidence and will not be used against you. We trust that you will be frank and honest with your answers. Please put a check mark (✓) in the boxes or fill in the needed information in the blanks.  
Many thanks and best wishes.

#### About Yourself

First of all, we would like to know a few things about you.

4. Gender:      Male            Female

5. Age: \_\_\_\_\_

6. Current address: \_\_\_\_\_ (Municipality or City/Province)

7. Permanent address: \_\_\_\_\_ (Municipality or City/Province)

8. Place of birth: \_\_\_\_\_ (Municipality or City/Province)

9. Education:    High school grad or less    Some college      College grad: \_\_\_\_\_  
10. (Course)

11. Marital status:    Single        Married      Separated    Widowed

12. No. of children: \_\_\_\_\_

13. Ages of children (from eldest to youngest): \_\_\_\_/ \_\_\_\_/ \_\_\_\_/ \_\_\_\_/ \_\_\_\_/ \_\_\_\_/

14. Have you ever worked in the Philippines?

No [GO TO #17]

Yes→15. Altogether, how many years have you worked in the Philippines?

Less than a year     1-4 years     5-9 years     More than 10 years

16. What was your most recent job? \_\_\_\_\_ [GO TO #17]

**Migration History & Your New Job Abroad**

17. Have you ever worked abroad?

No → Is this the first time that you are applying for a job abroad?  Yes  No

Yes→18. About how many years have you worked abroad?

Less than a year     1-4 years     5-9 years     More than 10 years

19-20. Which country did you most recently work in?/What was your most recent job?

\_\_\_\_\_ (Country)    \_\_\_\_\_ (Job)

21. Are you a(n):

Agency hire [NAME OF AGENCY]: \_\_\_\_\_

Name hire/direct hire/thru POEA

Other [PLS SPECIFY]: \_\_\_\_\_

22. Which country are you going to work in? \_\_\_\_\_

23. What kind of job will you be doing? \_\_\_\_\_

24. When are you scheduled to leave for abroad?

In the next two weeks

Within this month

No schedule yet; don't know

Other [PLS SPECIFY] \_\_\_\_\_

25. Have you signed a contract yet?     Yes     No

26. According to your contract or according to what you were told:

26. How much will be your *monthly* salary? \_\_\_\_\_  Don't know

27. How many days off will you have *every month*? \_\_\_\_\_  Don't know

28. Will your employer provide you with health insurance?  Yes     No     Don't know

29. Do you have family members/friends who are working in the country where you are going?

Yes     No

30. Do you have information on where to go or who to approach in case you encounter problems abroad?  No

Yes →31. Name at least one person, office or organization that you can contact should you have problems abroad: \_\_\_\_\_

32. Has your responsibilities as a worker been explained to you?  Yes  No

33. Has your rights as a worker been explained to you?  Yes  No

### **Experience in Applying for a Job Abroad**

Let us try to retrace the steps that you took in applying for this job abroad.

34. What is your main reason for applying to work abroad?

- Cannot find a job in the Philippines/better job abroad
- Salary is low in the Philippines/higher salary abroad
- Want to provide a better future for family/children
- Want to experience a different life/culture
- Other [PLS SPECIFY]: \_\_\_\_\_

35. Which of the following did you consult regarding working abroad? [CHECK ALL THAT APPLY]

- Family members/friends working abroad
- Family members/friends in the Philippines
- Philippine Overseas Employment Administration (POEA)
- Recruitment agency/ies
- NGOs
- Others [PLS SPECIFY]: \_\_\_\_\_

36. How did you choose the agency that helped you get work abroad?

- I did not go through an agency.
- Chose on my own (e.g., saw ads in the papers)
- Recommended by family members/friends who had worked abroad
- Recommended by family members/friends in the Philippines
- Other [PLS SPECIFY]: \_\_\_\_\_

37. Did you check with POEA whether the agency was licensed to recruit applicants?

- Yes  No

38. What is the legal placement fee for the job that you applied for? \_\_\_\_\_ (Amount)

39. How much was the placement fee that you must pay to your agency? \_\_\_\_\_ (Amount)

40. How did you pay your placement fee?

- Cash, one-time payment
- Installment, to be paid fully before deployment
- Installment, partly before deployment and the balance as salary deductions
- No placement fee, only salary deductions
- Other [PLS SPECIFY]: \_\_\_\_\_

41. Kindly provide an estimate of your other expenses in applying for this specific job:

<u>Item</u>	<u>Amount</u> (or estimate)	
41. Medical exam	_____	___ No need/didn't pay
42. Processing fee	_____	___ No need/didn't pay
43. Documentation (birth certificate, passport, etc.)	_____	___ No need/didn't pay
44. Training	_____	___ No need /didn't pay
45. Testing	_____	___ No need/didn't pay
46. POEA	_____	___ No need/didn't pay
47. OWWA membership fee	_____	___ No need/didn't pay
48. Xeroxing of documents, authentication	_____	___ No need/didn't pay
49. Pre-departure orientation seminar or PDOS	_____	___ No need/didn't pay
50. Other fees	_____	___ No need/didn't pay

51. Please describe your experience in dealing with various agencies or offices while preparing to leave for abroad. You may choose any number between 1 and 5 to indicate whether you were happy with the service or assistance that you received – the higher the number, the happier you were about the service or assistance.

*1. Very unhappy      2. Unhappy      3. Just fine      4. Happy      5. Very happy*

<u>Office</u>	<u>Rating</u>	<u>Other remarks</u>
51. Placement agency	_____	_____
52. Medical clinic/hosp (for the medical exam)	_____	_____
53. Training center	_____	_____
54. TESDA	_____	_____
55. National Statistics Office (Census)	_____	_____
56. Department of Foreign Affairs	_____	_____
57. Professional Regulatory Commission	_____	_____
58. Malacañang	_____	_____
59. Manila City Hall	_____	_____
60. Philippine Overseas Emp Adm. (POEA)	_____	_____
61. Overseas Workers Welfare Adm (OWWA)	_____	_____
62. Pre-departure Orientation Seminar (PDOS)	_____	_____

63. Using a five-point scale, please rate the usefulness of the information you received regarding working and living abroad from various sources.

1. *Not very useful*      2. *Not useful*      3. *Just fine*      4. *Useful*      5. *Very useful*

<u>Source</u>	<u>Rating</u>	<u>Other remarks</u>
64. Family members/friends abroad	_____	_____
65. Family members/friends in the Philippines	_____	_____
66. Media	_____	_____
67. Placement agency	_____	_____
68. POEA	_____	_____
69. PDOS	_____	_____
70. Other [PLS SPECIFY]: _____	_____	_____

**Plans**

71. Are you aware of reports about Filipino workers encountering problems while they are abroad?  
 Yes                       No [GO TO 73]

72. Do reports about the problems Filipino workers face abroad affect you?  
 Yes → What are your major concerns? \_\_\_\_\_  
 No → What makes you resolute in pursuing your plan to work abroad?  
 \_\_\_\_\_

73. If it were possible, what minimum *monthly* salary would make you consider to stay and work in the Philippines? \_\_\_\_\_ (Amount)

74. Have you discussed your going abroad with your family?  Yes       No

75. What does your family think about your decision to work abroad?  
 Supportive     Not supportive       No opinion

76. How many years do you plan to work abroad?  
 No. of years: \_\_\_\_\_  
 Don't know, it depends

77. What do you plan to do when you return for good?  
 Find local employment  
 Set up a small business  
 Retire  
 Other [PLS SPECIFY]: \_\_\_\_\_

**THANK YOU FOR YOUR COOPERATION!**

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