



Republic of the Philippines  
**DEPARTMENT OF LABOR AND EMPLOYMENT**  
Intramuros, Manila



**DEPARTMENT ORDER No. 228**  
Series of 2021

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## **EXPANDED COMPULSARY INSURANCE COVERAGE FOR REHIRES AND DIRECT HIRES**

Whereas, the worsening Covid-19 pandemic, alongside the threats of various emerging variants, continues to wreak havoc in the lives, safety and economy of all nations with continual spikes of cases of death, afflictions, economic downturns, displacement, unemployment and unprecedented challenges in all national transport and health delivery systems and responses;

Whereas, only thirty-two percent (agency-hired workers) of the estimated ten million overseas Filipino workers (OFWs) have adequate social protection as provided under the provisions of Republic Act No. 10022 entitled AN ACT AMENDING REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED, FURTHER IMPROVING THE STANDARD OF PROTECTION AND PROMOTION OF THE WELFARE OF MIGRANT WORKERS, THEIR FAMILIES AND OVERSEAS FILIPINOS IN DISTRESS, AND FOR OTHER PURPOSES, leaving close to 70% of the OFW population uncovered and highly vulnerable to various known risks and perils of host countries and work destinations;

Whereas, this Order seeks to forthwith extend, expand and strengthen this indispensable mantle of protection to all OFWs during this current global health emergency crisis at no cost to the worker, and also to other migrant workers based abroad under a residency status granted by the host country if they may avail of such social insurance coverage and which is completely consistent with current legislative initiatives bearing and embracing the same purpose and objectives;

Pursuant to the rule-making power of the Secretary of the Department of Labor and Employment (DOLE) under Article 5 of the Labor Code of the Philippines and in accordance with Republic Act No. 8042, as amended, the following rules and regulations are hereby issued for the compliance of all concerned:

**Section. 1. Coverage.** Each migrant worker deployed by a recruitment/manning agency shall be covered by a compulsory insurance policy which shall be secured at no cost to the said worker. Such insurance policy shall be effective for the duration of the migrant worker's employment, and this shall include, at the minimum, the social protection benefits enumerated under Section 23 of Republic Act 10022. This coverage shall include all agency-hired workers and migrant workers classified as re hires.

**Section 2. No Additional Cost to the OFW.** Agency-hired workers shall continue to be covered by this compulsory insurance policy, the cost of which is shouldered by the recruitment/manning agency as already provided in Republic Act No. 10022. In the case of re hires, direct hires, and name hires and for their families, the cost or expense shall be borne by their foreign employers or the workers themselves, subject to a complete refund upon arrival of the OFW concerned at the worksite or country destination.

**Section 3. Availability of Expanded Insurance Coverage.** Licensed Philippine recruitment/manning agencies and their principals/employers shall comply with this directive, and shall also offer an enhanced insurance coverage, if available and approved by the Insurance Commission, subject to the concurrence of the OFWs, that will include acts or incidents considered as force majeure and all health issues, including all man-made hazards and perils, at the worksite, in addition to the minimum coverage already provided under the compulsory insurance for agency-hired workers.

**Section 4. Insurance Coverage Participation.** Only reputable private insurance companies duly registered and currently accredited with the Insurance Commission (IC) shall be qualified to provide for this OFW compulsory insurance coverage. The qualifications and accreditation of participating insurers are in accordance with the INSURANCE GUIDELINES (September 2010) on Rule XVI of the Omnibus Rules and Regulations implementing Republic Act 8042, as amended by Republic Act 10022.

**Section 5. Non-Diminution of Benefits.** Nothing herein shall be construed to authorize diminution of benefits being enjoyed by the OFW at the time of issuance hereof.

**Section 6. Applicability.** This *interim rule* shall be implemented only during the period of the current public health emergency being faced by all countries due to the raging Covid-19 pandemic and the threats of other emerging infectious diseases as well as the period of full completion and implementation of the national government's vaccination program for all Filipino citizens. This Order may be extended for a longer period by this Department as circumstances may warrant.

**Section. 7. Separability Clause.** If any or portion of this Order is declared void or unconstitutional, the remaining portions or provisions hereof shall continue to be valid and effective.

**Section. 8. Effectivity.** This Department Order shall be effective fifteen (15) days after its public in a newspaper of general circulation.

Manila, Philippines. 03 NOV, 2021

  
SILVESTRE H. BELLO III  
Secretary



Dept. of Labor & Employment  
Office of the Secretary