



INDEBTED BEFORE DEPARTURE: Information Arbitrage and Financial Exploitation by Philippine Migration Intermediaries



TABLE OF CONTENTS

LIST OF ABBREVIATIONS
EXECUTIVE SUMMARY
Who are we?4
Research objectives and methodology4
Summary of main findings5
RECOMMENDATIONS
INTRODUCTION
METHODOLOGY
DEMOGRAPHICS
FINDINGS
Section One: Factors influencing OFWs' choice of employment agency17
Section Two: Influence of external pressure and referrals on OFWs' choice of training center, medical clinic and money provider
Section Three: Risk of debt bondage and impact of the interactions between migration intermediaries and OFWs on fees paid
Section Four: Information flows and impact on OFWs' knowledge about illegal recruitment practices33
CONCLUSION
ANNEX 1 : MIGRATION QUESTIONS
ANNEX 2 : QUESTIONNAIRE



LIST OF ABBREVIATIONS

Per theme and alphabetical order

Terms related to Filipino migration

OFW: Oversea Filipino Worker

International organizations

ILO: International Labour Organization **IOM:** International Organization for Migration

Filipino government agencies

DoH: Department of Health
DOLE: Department of Labor and Employment
OWWA: Overseas Workers Welfare Administration
PESO: Public Employment Service Office
POEA: Philippine Overseas Employment Administration
POLO: Philippine Overseas Labor Office
PSA: Philippine Statistics Authority
TESDA: Technical Education and Skills Development Authority

Pre-departure training for OFWs

CPDEP: Comprehensive Pre-Departure Education Program **NC II:** National Certification II **PDOS:** Pre-Departure Orientation Seminar **PEOS**: Pre-Employment Orientation Seminar

EXECUTIVE SUMMARY

Who are we?

Founded in 2018, Migrasia is a social enterprise incubator for solutions to migration-related problems in Asia. We focus on a wide-range of issues ranging from unethical labor migration to modern slavery and human trafficking. Migrasia leverages technology, novel legal strategies, and knowledge sharing to promote change within the labour migration industry at large. In collaboration with the Global Migration Legal Clinic within The University of Hong Kong's Faculty of Law, Migrasia has reached millions of current, former, and prospective migrant domestic workers through social media. Migrasia's programs have led to direct assistance of thousands of migrant workers in countries throughout Asia, Africa, and Europe, with over HK\$80,800,000 in monetary recoveries and illegal proceeds blocked in 2020 alone.

This research project, made possible by Winrock International, aims to reduce instances of human trafficking and forced labor (particularly debt bondage during labor migration) by clarifying the power and information asymmetries between Filipino migrant workers and their migration intermediaries in the pre-departure phase. In the context of this research paper, the 'pre-departure phase' of migration begins when an individual is considering overseas migration and ends at the point of departure from the Philippines.

Research objectives and methodology

Labor migration is currently the most common predicate action leading to human trafficking and forced labor, and debt bondage is the most common indicator of forced labor.¹ Based on Migrasia's first hand experience with directly assisting thousands of migrant domestic workers per year, instances of collusion between migration intermediaries in migrants' pre-departure phase have been identified as an enabling factor for abuse. This research seeks to test and understand these relationships, filling important knowledge gaps regarding the pre-departure phases of the labor migration process.

Existing literature on forced labour does not sufficiently address the way different types of actors intersect with migration processes. There is a lack of information around how migration intermediaries reach and recruit migrant workers at the earliest stages, how they inform prospective migrants after reaching them, and the other factors that influence migrant workers' decision-making in the pre-departure phase. In addition, existing research lacks sufficient analysis of the collusion between migration intermediaries and how they bypass government regulations to exploit prospective migrants.

Answers to these questions are critical to reduce instances of human trafficking and forced labor in the context of labor migration. In this study, quantitative analysis has been used to identify barriers faced by Overseas Filipino Workers (**OFWs**) when trying to access accurate information, loopholes that are being used for exploitation, and intervention points that can be explored in order to reduce instances of human trafficking and forced labour.

To address these points, this study seeks to inform:

4

- The factors that influence OFW decision-making when selecting migration intermediaries in the pre-departure phase of migration.
- The level of knowledge OFWs have about legal requirements for overseas migration, especially on questions related to mandatory fees and collusion between migration intermediaries.
- The role of migration intermediaries as information sources and the accuracy of the knowledge they communicate to OFWs.
- The primary coercive methods used by migration intermediaries in the OFW pre-departure phase.

Our quantitative study analyzes the survey answers of 961 randomly selected current and former OFWs in the Philippines who have completed the pre-departure phase of migration within the last 5 years through the ser-

¹ ILO (2017) Global estimates of modern slavery: Forced labour and forced marriage. Geneva. p.5. Link; ILO (2018), which states, "Debt bondage affected half of all victims of forced labour imposed by private actors."; Ending forced labour by 2030: A review of policies and programmes. Link. p.3., which states, "Debt bondage accounts for 50% of forced labour in the private economy."

vices of an employment agency. The survey was disseminated to individuals via mobile phone applications, using a Random Device Engagement methodology through the online service provider Pollfish, from 5-16 May 2021. After applying a gender quota in order for our sample to be representative of the gender distribution of the population of OFWs, this method allowed us to gather insights from OFWs currently or formerly working across a wide range of industries and destination countries that largely corresponds to the characteristics of the total OFW population in 2019.

Summary of main findings

In selecting an employment agency, OFW decision-making is constrained by external factors.

• A substantial percentage of OFWs in our study reported that their ability to choose their employment agency was restricted in some manner. Collectively, 41.9% of OFWs in our sample reported at least one of the following factors as the main reason for choosing their employment agency: lack of time (27%) or money (9%) to shop around, having their documents confiscated by the agency (effectively restraining OFWs to start the migration process with another agency) (8%), or alternative agencies being too far away (7%).

Employment agencies are mandating OFWs to utilise specific migration intermediaries, including training centers, medics clinics and money lenders, in the pre-departure phase.

- Despite exclusive referrals being prohibited according to the POEA Rules and Regulations, employment agencies, both in the Philippines and overseas, played a central role in determining the other service providers that OFWs used in the pre-departure phase. When asked who, if anyone, required or pressured them to use a specific service provider, 44% of OFWs reported being required to use a specific training center by their employment agency, while 53% reported the same for the medical clinic that they used.
- Nearly a quarter of OFWs (24%) reported that they were required or pressured to use a specific money provider by their employment agency, from whom they borrowed money to pay the costs of their migration.

Many OFWs felt pressured into choosing the specific migration intermediaries that they utilised in the pre-departure phase.

- Respondents were surveyed on whether they felt they had the option or ability to choose the specific migration intermediaries that they utilised, as a measure of perceived pressure experienced in selecting service providers.
- The data indicate that 43% of OFWs experienced high pressure at least once when selecting their
 medical clinic, training center, or money provider, reporting either feeling that they had no choice at all,
 or were pressured to use a particular migration intermediary. One in ten OFWs reported high pressure
 when selecting all three migration intermediaries (i.e., medical clinic, training center, and money provider for those who borrowed money).
- Perceived high pressure was greatest in the selection of medical clinics, affecting 32% of OFWs, and was particularly prevalent for those bound for GCC countries (36%).

OFWs are taking on significant debt to finance their migration, with training fees in particular contributing to a large portion of that debt.

- In order to finance the costs associated with migrating overseas, roughly a third of respondents (32%) took on debt that was larger than their annual household income.
- Medical fees charged to OFWs frequently exceeded the legal limit set by the Department of Health of PHP2,200. Among respondents, 58% of OFWs paid more than PHP2,500 for their medical fees.
- Training fees constituted a substantial part of the debt incurred by OFWs, as roughly half of respondents (49%) reporting all of their expenses (n=743), indicated that training fees accounted for more than half of the debt incurred to finance their migration.

OFWs are misinformed about critical laws and regulations relating to their migration and illegal practices perpetrated by migration intermediaries.

- To assess levels of knowledge on relevant laws and regulations relating to their migration, OFWs were asked a series of five questions² assessing knowledge on the legality of exclusive referrals, training requirements and medical fees. Roughly half of all respondents (49%) did not give a single correct response to the five knowledge questions, indicating a low level of relevant knowledge of OFW rights among the sample.
- Concerning training requirements, 85% of OFWs wrongly believed that undergoing training was
 mandatory in order to take the NC II examination and obtain the NC II certificate, which is necessary
 for OFWs to work abroad. This is particularly important given that, as mentioned above, training fees
 constitute a substantial part of the debt incurred by OFWs.

Migration intermediaries and government agencies are important sources of information for OFWs. Government agencies are informing OFWs while migration intermediaries may be spreading misinformation.

- Migration intermediaries are an important source of information, but the data indicate that the information they provide can be misleading. Among OFWs that incorrectly thought that exclusive referrals were legal, 55% of respondents reported learning this from a migration intermediary, including their employment agency, training center, medical clinic or money provider. Conversely, government agencies were more commonly cited as a source of information for OFWs who answered this question correctly.
- In the pre-departure phase, findings indicate that more OFWs attended the non-mandatory and paid NC II training (65.3%), organised by migration intermediaries, than attended the Pre-Employment Orientation Seminar (PEOS, 15%); an online, free and mandatory government seminar aimed to inform OFWs about illegal recruitment practices.
- Post-deployment, both government agencies and migration intermediaries are currently the main sources of information for OFWs. When asked "If your knowledge of Philippines OFW laws has improved since working overseas, where did you learn more?", "Government agencies" (41%) and "Migration intermediaries" (42%) were reported in near equal measure.

2 The Migration Questions and their correct answers can be found in <u>Annex 1</u>.



RECOMMENDATIONS

The data indicate that, while extensive mandatory pre-departure training is in place for OFWs, its effectiveness may be limited. In preparing for migration, it is evident that OFWs lack understanding about their legal rights, and the obligations of employment agencies to protect them, and as a result may be increasingly vulnerable to exploitation by migration intermediaries. This lack of knowledge, coupled with widespread practice of exclusive referrals by employment agencies and overcharging by training centers and medical clinics, puts OFWs at risk of debt bondage.

In order to combat illegal recruitment, our recommendations place emphasis upon making accurate, timely information widely available and shared through various channels at all stages of the migration process. In addition, we recommend closer monitoring and investigation of exclusive referrals and overcharging by the relevant authorities and stakeholders.

The following recommendations are intended for all institutions providing services to OFWs, and the following Philippine government agencies in particular: the Philippine Overseas Employment Administration (**POEA**); the Philippine Overseas Labor Offices abroad (**POLO**); the Department of Labor and Employment (**DOLE**); and the local employment service facilities (**Public Employment Service Offices**, **PESO**).

In addition, non-governmental organisations (NGOs) and civil society members working to combat the illegal recruitment of OFWs in Filipino migration corridors are encouraged to operationalise the below suggestions.

1. GOVERNMENTS AND NGOS SHOULD ENSURE THAT INFORMATION CONTAINED IN MANDATORY GOVERNMENT TRAINING, SUCH AS THE PDOS, PEOS, OR CPDEP, IS BROADLY AVAILABLE ONLINE, ESPECIALLY ON SOCIAL MEDIA, TO INCREASE INFORMATION UPTAKE AMONG OFWS.

Our study shows that migration information available to OFWs is often siloed by migration intermediaries, leading to misinformation and potential exploitation. To decrease OFWs' reliance on migration intermediaries, the information contained in mandatory pre-departure training should be made available online, without any pre-condition, including before and after the pre-departure phase. This would allow prospective and current OFWs and their families to independently research and verify information at any point, rather than relying on information given by what could be unethical migration intermediaries.

While there are limitations to this recommendation that must be recognized, including disparate access to data and technology among potential OFWs and their families, information sharing and online learning have accelerated because of the COVID-19 pandemic and will continue in the coming years. Due to travel restrictions and social distancing requirements, many PDOS trainings were conducted online over the past year. It would be easy to record those trainings and make them and links to additional resources, available online to the general public. Training could be recorded and disseminated via Youtube and Facebook, the two leading social media platforms in the Philippines.³ The "Handbook for Overseas Filipino Workers"⁴ that has been announced by the POEA is a good step in that direction, but is still today, after inquiry,⁵ not accessible online.

While in-person training or consultations can be useful, particularly during the pre-departure phase for first-time OFWs, making information available online would simply provide another source of verified information that can be accessed when circumstances warrant. Blended learning initiatives can also be further explored. One promising example is the collaboration between the ILO, TESDA, and The Fair Training Center to develop a 12-day needs-based blended training program consisting of ten days online training and two days of in-person training.⁶

2. PRIORITIZE THE DISSEMINATION OF INFORMATION THAT IS CRITICAL FOR PREVENTING ILLEGAL RECRUITMENT AND FORCED LABOUR, BEFORE IT OCCURS.

In addition to making mandatory training content widely available, special priority and attention should be given to information that is critical to reduce the risk of illegal recruitment and forced labor, including debt bondage. This could include the information contained in the five questions used to assess OFW knowledge of their legal rights during the migration process, including:

- Employment agencies cannot legally require an OFW to use a specific training center at the OFW's own expense.
- There is a maximum amount that can be charged by medical clinics for the fit-to-work certificate.
- Employment agencies cannot legally require an OFW to use a specific money provider.
- Employment agencies cannot legally require an OFW to use a specific medical clinic at the OFW's own expense.
- Training is not required to take the NC II examination and receive the NC II certificate.⁷

Dissemination of knowledge clarifying that NC II Training is not mandatory to migrate is particularly crucial considering the proportion of overall debt incurred by OFWs to pay training fees. As such, reducing training fees, whether by providing training for free, or informing prospective OFWs that training is not required to take the NC II examination, could be one of the most important interventions to reduce the cost of migration and in doing so eradicate instances of debt bondage and forced labor. Such information should be centralized, free, easily accessible, and reliable, especially when relating to medical and training fees.⁸

3. CONDUCT BETTER MONITORING OF EXCLUSIVE REFERRALS TO MIGRATION INTERMEDIARIES BY EMPLOYMENT AGENCIES AND CHARGING OF EXCESSIVE FEES BY MEDICAL CLINICS, TRAINING CENTERS.

The data indicate that despite POEA Rules and Regulations, exclusive referrals by employment agencies to specific training centers for NC II and other training, and specific medical clinics for medical examinations required to obtain 'Fit-to-Work' certificates is commonplace. Training fees, which are not mandatory in order to take the NC II Examination, are amounting to a substantial portion of debt incurred by OFWs. In addition, it is clear that medical fees charged to OFWs frequently exceed the legal limit set by the Department of Health. Further, employment agencies are imposing exclusive referrals to specific money lenders granting loans to OFWs to finance the costs of such fees for migration, and in

³ Statista (Feb. 2021) Leading social media platforms among internet users in the Philippines in 3rd quarter 2020. Link. Accessed 7th Oct. 2021.

⁴ POEA (2021, June 7). News Release: POEA launches updated OFW Handbook on Migrant Workers' Day. Link.

⁵ Electronic request filed to the POEA on June 21, 2021 on the Philippines Freedom of Information website. Link. Accessed 1st Oct. 2021.

⁶ ILO (2021). Launch of the ILO and TESDA pilot training programme on domestic work. Link. Accessed 7th Oct. 2021.

⁷ Further information and sources for the correct responses to the Migration Questions can be found in <u>Annex 1</u>.

⁸ Although there have been efforts made by TESDA to make training fees more transparent, (see, e.g., <u>TESDA Circular No. 065-A-2020</u>), further efforts need to be made in order to make such circulars broadly available to the general population of OFWs.

doing so playing a key role in perpetuating instances of debt bondage. These findings indicate possible collusion among migration intermediaries to exploit OFWs and charge illegal or excessive fees relating to their migration. It is recommended that TESDA and the Department of Health take action to investigate overcharging by training centers and medical clinics in illegal recruitment complaints. It is recommended that the SEC investigate the involvement of money lenders in granting loans to OFWs to finance illegal recruitment fees. Finally, it is recommended that the POEA take action to investigate exclusive referrals imposed by employment agencies, as well as the involvement of other migration intermediaries such as training centers, medical clinics and money lenders, in facilitating illegal recruitment.

4. EXPLORE OPPORTUNITIES FOR ONLINE INFORMATION SHARING BEYOND WHAT IS REQUIRED IN MANDATORY PRE-DEPARTURE TRAINING

Making resources more available online would also allow government agencies and NGOs to go beyond the basic information that is currently included in mandatory pre-departure training. For example, information commonly provided by OFW-focused NGOs relating to parenting from abroad, mental and physical health, financial literacy, etc., could be consolidated and disseminated.⁹ Moreover, destination-specific information, including contact information for destination-country authorities if help is needed, could be provided.

OFWs who are quickly integrated into destination-country communities, such as religious congregations, trade unions, etc., are more likely to seek and receive assistance if help is required. So integrating links to online communities into information dissemination portals could be another step toward alleviating mistreatment, or facilitating reporting and enforcement when mistreatment occurs.

Finally, real time communication and information dissemination could be integrated via online tools, allowing timely notifications relating to scams, changes in the law, or other time-sensitive information to be shared to OFWs globally. Such a strategy has been proven useful in other contexts. For example, during the pandemic, direct messaging platforms such as Viber were used by the Department of Health to share timely and accurate COVID-19 information. Thanks to the Viber page, more than 2.6 million Filipinos got access to critical information on COVID-19.¹⁰ Given that there were about 2.2 million OFWs in the world in 2019, such reach corresponds to more than the current OFW population.

5. ADOPT A LOCALIZED DUAL STRATEGY OF ONLINE - OFFLINE SUPPORT

To circumvent the potential difficulties for OFWs in using technology and online resources, it is important to remember that apps and other digital solutions are not a panacea to the challenges faced by OFWs. Local governments should adopt a dual strategy including traditional outreach and engagement, especially to help those with lower levels of education and income who may find it challenging to access information using technology and online resources.¹¹

In order to increase the reach and the efficiency of disseminating information via social media, stakeholders could adopt a localized dual strategy for spreading information. For example, dedicated Facebook groups at the provincial or even barangay level could inform prospective and current OFWs about local resources available to them, as well as tailor-made advice for going abroad. Offline, these pages could be monitored by local government authorities and law enforcement, and complemented by the support of local grassroot organizations such as NGOs, church groups, etc., to provide in-person assistance.

6. BETTER MONITOR THE UNAUTHORIZED USE OF GOVERNMENT AGENCY LOGOS AND IMPROVE FACT-CHECKING MECHANISMS

Better control of the use of the official logos, especially the POEA's logo, is needed. It is common for unethical actors to use the logo of the POEA and other government agencies to elicit confidence in job offers or other online resources.

9

⁹ As an example, the blended learning training program mentioned above provided by the ILO, TESDA, and The Fair Training Center not only includes practical information necessary for migration, but also helps prepare OFWs "...for the work and life that await them abroad." Source: ILO (2021). Launch of the ILO and TESDA pilot training programme on domestic work. Link. Accessed 7th Oct. 2021.

¹⁰ Source: Viber. Link

¹¹ International Labour Organization (2019) Mobile women and mobile phones Women migrant workers' use of information and communication technologies in ASEAN. Link. In the same report it was noted that, "Innovative engagement with the social media networks used by migrant women may be key to effective outreach, since migrant women tend to trust social media."

INTRODUCTION

Since the 1970s, labour migration has been institutionalised as a tool for economic development in the Philippines, with the government promoting overseas employment for Philippines nationals. Today, the Filipino diaspora is the 9th largest diaspora population in the world,¹² and the country relies heavily on the steady flow of remittances from the 2.2 million OFWs. Remittances accounted for 9.7% of the country's GDP in 2020.¹³ High rates of unemployment at home, a weak economy and an institutionalized policy of labour export by the Philippines government are identified as the main push factors that encourage Filipino citizens to migrate overseas. Higher paid job opportunities abroad constitute the main pull factors that drive Filipino migration.¹⁴

Beyond the push and pull factors, the process of migration can put migrant workers, especially those who are low-skilled, at risk. This risk is particularly present during the recruitment phase,¹⁵ where unethical practices include:¹⁶ charging illegal or excessive fees, withholding identity documents, intimidation and threats, contract substitution, abusive working conditions, restriction of movement, coercion, and, importantly, debt bondage. The latter constitutes the most common indicator of forced labor, accounting for 50% of forced labour in the private economy.¹⁷

In the context of Filipino migration flows, unethical practices at the recruitment stage are well documented and have been observed in the main migration corridors, including the Middle East,¹⁸ Europe,¹⁹ and in main destination countries in Southeast Asia, such as Hong Kong or Singapore.²⁰ All these practices have also been observed in Migrasia's direct clinical work: over two years of online and in-person interactions with thousands of migrant domestic workers, employment agencies, training centers, and medical centers were consistently identified as having charged OFWs excessive fees. In the worst cases, OFWs would be presented to unethical money providers, resulting in occurrences of debt bondage. OFWs would then face high risks of forced labour, despite explicit Philippine regulations and mandatory pre-departure training meant to protect them from illegal recruitment practices.²¹ Migrasia's direct client engagement repeatedly showed that migration intermediaries would bypass regulations by colluding with each other.

Such anecdotal evidence identified a knowledge gap that has also been observed in the field of migration studies: while the main reasons for deciding to migrate and the consequences of unethical recruitment processes in the Filipino migration are well understood, comparatively less knowledge has been gathered about the forms of infrastructure that facilitate and shape OFWs' mobility. These infrastructures are defined as "the various public and private agencies and actors [that] provide for such information, products, and services relating to migration, thereby promoting, facilitating, and organizing the process of migration."²² This knowledge gap about how the different types of actors intersect with migration processes has been defined by Lindquist, *et al.*, as "the black box of migration research"²³ and is the main focus of this study.

14 Maruja M.B. Asis (2017) The Philippines: Beyond Labor Migration, Toward Development and (Possibly) Return, Link

- 16 ILO (2018). Ending forced labour by 2030: A review of policies and programmes. Link. p.39
- 17 Ibid. p.3
- 18 ILO (2016) Ways Forward in Recruitment of Low-skilled Workers.
- 19 Verité (2021). Assessing Labor Risks for Workers Migrating from the Philippines to Europe, Link
- 20 Seefar (2019). Making Migration Work: Understanding forced labour amongst migrant domestic workers in Asia. Link.
- 21 POEA (2016). Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016. Link. Part II, Rule X.
- 22 Spaan, E., and F. Hillmann (2013). "Migration Trajectories and the Migration Industry: Theoretical Reflections and Empirical Examples from Asia." In The Migration Industry and the Commercialization of International Migration, edited by T. Gammeltoft-Hansen and N. Nyberg Sorensen, 64–86. Abingdon: Routledge.
- 23 Lindquist, J., Xiang, B., & Yeoh, B. S. (2012). Opening the black box of migration: Brokers, the organization of transnational mobility and the changing political economy in Asia. *Pacific Affairs*, 85(1), 7-19.

¹² United Nations Department of Economic and Social Affairs (UNDESA) (2019). International migrant stock 2019. Link.

¹³ The World Bank (2020) Indicators: Personal remittances, received (% of GDP) – Philippines, Link

¹⁵ UNODC (2015). The Role of Recruitment Fees and Abusive and Fraudulent Recruitment Practices of Recruitment Agencies in Trafficking in Persons. Link. p. 5-10.

Using a quantitative approach, this research aims to deepen the understanding about interactions between OFWs and migration intermediaries. Among the different intermediaries along the migration process, it focuses on the ones susceptible to putting migrants at risk of debt bondage, either because of their position of power in the migration process, or for their capacity to charge fees. Thus, it considers interactions between employment agencies, training centers, medical clinics, and money providers, and compares their influence with the influence of government agencies.

Through this lens, this research proposes to address the lack of information around how migration intermediaries reach and recruit workers at the earliest stages, how they inform prospective migrants after reaching them, and the other factors that influence OFW decision-making in the pre-departure phase. It does so by considering the following research questions:

What are the factors that influence OFW decision-making when selecting migration intermediaries in the pre-departure phase of migration?

What is the level of knowledge OFWs on questions related to mandatory fees and collusion between migration intermediaries?

What is the role of migration intermediaries as information sources and what is the accuracy of the knowledge they communicate to OFWs?

What are the primary coercive methods used by migration intermediaries in the OFW pre-departure phase?

Ultimately, by answering these questions and focusing on these actors, this research's objective is to identify barriers prospective OFWs face to accessing accurate information, loopholes used to bypass government regulations, and interventions needed in order to better protect OFWs throughout their migration process.

After describing in further detail the methodology used and the demographics of the sample considered, this report presents the findings of the study through four Sections. First, given their importance in the Filipino migration process, **Section One** analyzes the way OFWs first discover and choose their employment agency. **Section Two** measures the role of pressure and referrals in OFWs' choice of training center, medical clinic, and money provider, which are all migration intermediaries susceptible to charge fees to OFWs and put them at risk of debt bondage. **Section Three** analyzes how training fees and medical fees contribute to OFWs total debt and the potential correlation between the levels of pressure experienced by OFWs and the amount of fees paid. Finally, **Section Four** explores information flows during the OFWs migration process, first by measuring OFWs' knowledge about critical information related to their rights and what constitutes illegal fees, and second by identifying the main sources of information used by OFWs and the accuracy of the knowledge provided to them.

METHODOLOGY

Using a quantitative individual survey, Migrasia collected primary data from a target population of former, current and prospective Overseas Filipino Workers (OFWs) who have completed the pre-departure phase of migration within the last 5 years and who used the services of an employment agency to secure their last job. Respondents in the survey were then current OFWs temporarily in the Philippines, OFWs who had been deployed within the last 5 years, and first-timers who had their visa approved to go overseas. Responses were collected from OFWs located throughout the 17 regions of the Philippines, except in the Bangsamoro Autonomous Region in Muslim Mindanao. The latter was excluded due to the limitations of the geographical coverage of the service provider used.

The survey was disseminated in Tagalog through an online service provider (Pollfish) using 'Random Device Engagement,' whereby individuals are engaged on mobile devices through apps and games and asked to participate in the survey in exchange for an incentive, corresponding to the philosophy of the app in which they are engaged. Incentives included small monetary rewards like coupons, access to certain elements of the app normally only accessible behind a paywall, or game "currencies".

Primary data collection took place from 5-16 May 2021, with the questionnaire electronically fielded via an online service provider to 12,433 individuals among whom a total of 961 individuals passed two screening questions and were included in the survey. Before entering the survey, all respondents were prompted a message by the service provider informing them on the use of their data in the context of the survey. At all times, respondents were able to drop out, and responses were gathered entirely anonymously.

In order to test the questionnaire, a pilot was shared with a small number of OFWs. After gathering their insights, a second pilot was sent to our target population via the service provider Pollfish, in real conditions, in order to test both the representativity of the sample and the quality of responses gathered. About a hundred responses were gathered and informed further modifications of the questionnaire. The responses of the pilot have not been included in the final analysis, and the final questionnaire can be found in **Annex 2** of this report.

A. SAMPLING STRATEGY

The dissemination method ("Random Device Engagement") allowed for respondents located in the Philippines to be randomly asked to participate in the digital survey. The survey provider didn't allow for respondents under 18 to take the survey, and a gender quota was applied in order for the sample to be representative of the gender distribution of the OFW population. Among the sample, 56.5% of OFWs were female while 43.5% were male, which corresponds to the gender trends observed in the total population of OFWs in 2019 (respectively 56% and 44%).²⁴ After accepting to participate in the survey, respondents were screened using two questions regarding their experience as an OFW and their use of employment agencies in order to only allow our population of interest in the survey.

Despite some proportion discrepancies due to the digital collection method (highlighted in the **De-mographics** section below), this sampling strategy allowed us to reach our target population. The 961 respondents were representative of the total OFW population for key demographic characteristics such as gender, age, education level, sending region, as well as destination region and occupation for the last job abroad.

B. DATA VALIDITY & DATA ANALYSIS

The mobile device of each respondent utilised to complete the survey was assigned a unique identifier, allowing for the prevention of fraud originating from single users on multiple accounts. Metadata including localization and phone operator of devices allowed for confirmation of geographical location of respondents within the Philippines. The service provider, Pollfish, ensured screening for inconsistent responses and unreasonable response times in addition to prompting 'trap questions' within the survey to ensure respondents were fully engaged in the survey.

The sample being randomly selected, a sample size of 961 respondents allows for findings to be generalisable at a 95% confidence level with a 4% margin of error. This confidence level was computed based on a total population of 2.2 million, which corresponds to the total population of OFW in 2019 according to official statistics from Philippine Statistics Authority (PSA).

Data was collected via the service provider Pollfish and exported in Microsoft Excel for data analysis. In

24 PSA (2019) Statistical Tables on Overseas Filipino Workers (OFW), Table 2: Male and Female OFW by Occupation. Link.

addition to giving access to the raw data, frequency tables and the coding of the variables were generated automatically by the service provider. Free-text contained in "Other, please specify" responses was analyzed and re-categorized if relevant.

Given that most of the data collected in this study is categorical, Pearson's chi-square tests for association or homogeneity were used throughout the study to analyze independence of categorical variables or goodness-of-fit of their distribution. When relevant, additional goodness-of-fit tests were performed. In particular, two-sample Kolmogorov-Smirnov tests were conducted in order to analyze the distribution of training fees and medical fees.

Given that the questions related to some of these tests could allow multiple-choice answers, dichotomous variables were created in order to study the impact of a particular actor. For example, to isolate the effect of borrowing from family on the distribution of pressure levels, the dichotomous variables "borrowed from family and friends only" and "borrowed from all but family and friends" were created, thus excluding cases of OFWs borrowing both from family and from commercial money providers. Similarly, to investigate the distribution of training fees depending on the source of referral, the variables "was referred by at least one migration intermediary" and "was referred by no migration intermediary" were created.

For all the tests performed, the significance level retained for the analysis was $\alpha = 0.05$.

C. ADVANTAGES AND LIMITATIONS OF THE COLLECTION METHOD

Dissemination of the questionnaire via mobile applications was particularly appropriate in targeting our population of interest. According to the Global Web Index, the Philippines ranks first worldwide in the average amount of time spent daily on social media networks making it also one of the most digitally connected source countries of migrant workers.²⁵ Smartphones are widely used across the Philippines, with 57.6% owning a smartphone in 2019.²⁶ Research suggests that Filipino migrant workers use the greatest diversity of mobile phone applications to seek information on migration.²⁷ In addition, the age demographic of mobile app users corresponds to that of OFWs, as according to 2018 statistics from the Philippine Statistics Authority (PSA), 47.5% of female OFW and 28.9% of male OFW were aged between 24 and 35²⁸ while about 70.7% of mobile games users are aged between 18 and 34.²⁹ Mobile video games are popular among the Filipino population with user rates reaching number around 26 million people in 2020,³⁰ or 23.6% of the population.³¹

This methodology allowed for quick, cost-effective and highly replicable data collection, and was particularly suitable in the context of the COVID-19 pandemic, which made in-person research methods such as interviews difficult to carry on. Survey coverage was broad, particularly in the Philippines context where rates of smartphone usage and access to the internet are comparably high. The data collection method allowed for OFWs to be reached in their natural environments and therefore may be superior to other online polling or survey tools.

However, the methodology applied in this research does imply a digital bias. It favors digitally inclined OFWs who are more likely to consume information online, and excludes individuals without access to a mobile phone. In the Philippines, this part of the population represents an estimated 30% of the total Filipino population.³² Incidentally, the collection method seemed to induce an over-representation of OFWs situated in regions with a high smartphone penetration rate, such as the National Capital Region,³³ and younger OFWs (see the **Demographics** section below).

Another disadvantage of online dissemination was respondent fatigue, which was anticipated to influence response rates. To mitigate this, efforts were made to keep the questionnaire succinct and questions closed-ended, resulting in the average response time being under 10 minutes.

29 Statista (2020). Mobile Games Market in the Philippines, Link. Accessed 23rd Sept. 2021.

- 31 Total population for 2019, retrieved from Worldometers. Link. Accessed 23rd Sept. 2021.
- 32 Statista (n. 28)
- 33 Department of Information and Communications Technology (2019). National ICT Household Survey 2019. Table: Regional Distribution of Individuals Using/ Not Using Cellphones. Link. Accessed 30th Sept. 2021.

²⁵ Statista (Nov. 2020) Where Do People Spend the Most Time on Social Media? Link. Accessed 23rd Sept. 2021.

²⁶ Statista (2020). Smartphone penetration as share of population, Philippines 2017-2025. Link. Accessed 23rd Sept. 2021.

²⁷ ILO (n. 13) p.3

²⁸ PSA (2018). Statistical Tables on Overseas Filipino Workers (OFW), Table 1.2: Distribution of Overseas Filipino Workers by Age Group, Sex and Area 2018. Link.

³⁰ Statista (n. 27)

DEMOGRAPHICS

In order to ensure representativity of our sample, a gender quota was applied at the sampling stage. Among the sample, 56.5% of OFWs were female while 43.5% were male, which corresponds to the gender trends observed in the total population of OFWs in 2019 (respectively 56% and 44%).

The rest of this section describes the key characteristics of our sample and explores its representativity compared with the characteristics of the overall population of OFW as displayed in the latest statistics provided by the Philippines Statistics Authority (PSA).³⁴ For characteristics such as age, destination country, education as well as sending region, we find our sample to be generally in line with the overall population of OFW, despite some discrepancies most likely due to the digital collection method (see **Methodology** section above).

A. AGE DISTRIBUTION

The age distribution of OFWs in our sample shows an over-representation of young adults (under 24), which is very likely due to the collection method. In our sample, 21.1% of OFWs were 24 or under (although no respondent under 18 was allowed in our survey), while PSA statistics report only 6.1% of the total OFW population to be in the 15-24 age range. The proportion of OFWs over 45 in our sample was lower compared with the overall OFW population (respectively 9.4% and 17.9%), likely for the same reason.



Figure 1: Age distribution of the total population of OFW compared with our sample's

Note: In order to fit the age ranges displayed by the PSA, the first range in the graph above includes OFWs under the age of 18. However, no participants under 18 were allowed in our survey.

B. SENDING AND DESTINATION REGIONS

The collection method allowed us to gather responses from OFWs located in the 17 regions of the Philippines, except for the Bangsamoro Autonomous Region in Muslim Mindanao. Most OFWs in our sample were located in the National Capital Region (30.4%) and Calabarzon (22.8%), which are the two most populated regions in the archipelago, as well as from Central Luzon (15%). These regions are also the ones with the highest smartphone

³⁴ PSA (June 2020). Total Number of OFWs Estimated at 2.2 Million. Link. Accessed 23rd Sept. 2021.

penetration rate in the Philippines.³⁵ While our sample's proportion of OFWs coming from Calabarzon and Central Luzon was close to the one reported by the PSA (respectively 20.7% and 13.3%), the National Capital Region was over-represented in our sample as it only accounts for 9.7% of the total population of OFWs, which is most likely linked to the collection method as well.

In terms of destination, Middle East and East Asia are generally the predominant destination regions for OFWs. In the PSA statistics for 2019, more that 75% of OFWs were bound for countries in these destinations (51.4% to the Middle East and 25.8% to East Asian countries). Our sample was representative of this characteristic of the total OFW population, despite East Asia being over-represented and the Middle East being under-represented compared with PSA statistics (**Figure 2**). Our sample also had a higher proportion of OFWs bound for North America (13%) than reported by PSA for North and South America combined (8.1%).





Note: In the statistical tables of the PSA, the category "North and South America" is not broken down between North and South America. As such, the graph above keeps the PSA category, although no OFWs in our sample reported a destination country in South America. For our sample, this category thus only includes OFWs bound to Canada or the United States. 18 OFWs in our sample reported "Prefer not to say" (n = 943).

C. OCCUPATION ABROAD

The distribution of occupations undertaken abroad by OFWs in our sample was quite concentrated: the first three occupations accounted for 58.1% of our sample, with "Domestic work" (31.1%) and "Manufacturing" (17.2%) being the most represented. "Accommodation and food service activities" was third (9.8%). The high proportion of domestic workers is consistent with PSA statistics, where 39.6% of OFWs are employed abroad

under the category of "Elementary occupations" which contains domestic work.³⁶ All-in-all, we can suspect our sample to consist mainly of low-skilled workers, with occupational categories such as "Information and communication", "Financial and insurance activities" or "Administrative and support service activities" each tallying less than 5% of answers. OFWs engaged in seafaring activities, who are protected by a similar but distinct set of laws³⁷ by the POEA (as compared with land based workers) accounted for 5.3% of the sample.

D. EDUCATIONAL ATTAINMENTS

OFWs in our sample were well educated, with almost half of them (49.6%) having a Bachelor's degree, and an additional 8.7% having a graduate degree or higher qualifications.

Table 1: Distribution of the sample's highest levels of educational attainment

Education	Count	Percent of respondents (n=961)	
Graduate degree or higher	84	8.7%	
Bachelor's degree	477	49.6%	
Trades or Technical Education	170	17.7%	
Senior high school	155	16.1%	
Junior high school	57	5.9%	
Elementary education	6	0.6%	
No formal education	3	0.3%	
Prefer not to say	9	0.9%	
TOTAL	961	100.0%	

Although there is no specific table dedicated to the distribution of OFWs' highest educational attainment in the PSA statistics, the high level of educational attainment in our sample is representative of the overall level of education in the country. Indeed, despite being a developing country, the Philippines performs well in terms of educational indicators.³⁸ This characteristic of our sample is also consistent with an OECD/Scalabrini Migration Center (SMC) study showing that Filipino migrants are generally well educated, with a vast majority that received post-secondary education.³⁹

³⁶ PSA (2012). Philippine Standard Occupational Classification (PSOC). Link. Accessed 23rd Sept. 2021.

³⁷ All the POEA regulations cited in this report for land based workers are also applicable to seafarers. See POEA (2016) 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers. Link.

³⁸ OECD/Scalabrini Migration Center (2017). Migration and education in the Philippines, in Interrelations between Public Policies, Migration and Development in the Philippines, OECD Publishing, Paris. Link.

³⁹ Ibid.

FINDINGS

Section One: Factors influencing OFWs' choice of employment agency

At the center of the recruitment process, employment agencies are supposed to provide a range of essential services for both prospective workers and employers to facilitate migration. Apart from their primary role of matching prospective workers with employers, their services cover most of the migration process, including screening applicants, conducting interviews, drafting contracts, processing the documentation required through governmental channels, and guiding workers through complicated bureaucratic procedures and transit.⁴⁰ In the Philippines, more than bridging the gap between labour supply and demand, they are the only way for foreign employers to be able to recruit OFWs, as direct hiring is prohibited⁴¹ by the Philippine Overseas Employment Administration (POEA), which regulates and manages overseas employment. While this allows the POEA and the different governmental agencies in charge of OFWs to oversee the conditions of the deployment of Filipino nationals while delegating part of it to the private sector, it also means they are an inevitable part of the OFWs' migration journey.

Given the institutional framework regulating the recruitment and hiring of OFWs, the Philippines' dual approach of facilitation of migration and protection of migrant workers is often described by international organizations (such as the ILO and the IOM) as displaying "best practices" in terms of migration labor policies.⁴²

However, while in many ways Philippines legislation and policies afford wide-ranging protections to OFWs in theory, the on-the-ground situation described in the introduction reveals a disconnect between the regulations supposed to protect OFWs and the practices of unethical agencies. Unethical recruitment practices perpetrated by employment agencies are often at the origin of many of the abuses experienced by OFWs.⁴³ As such, the choice of employment agency will have important consequenc-



es on OFW's migration experience and on the risk of human trafficking faced. But how do OFWs actually choose their employment agency? **Section One** analyzes the main channels used by employment agencies to reach OFWs and identifies the factors influencing OFWs' decision in choosing a particular agency.

A. FIRST CONTACT BETWEEN OFWS AND EMPLOYMENT AGENCIES

We investigated the principal channels through which OFWs and employment agencies get in contact. **Table 2** illustrates that OFWs most commonly discovered their employment agency through word of mouth (23.4%). This illustrates the reliance by OFWs on their social networks when considering migration: friends, family, and acquaintances are recognized as critical resources for migrants.⁴⁴ But employment agencies also use word-of-mouth to reach OFWs in their local communities, mainly through the intermediary of informal brokers or sub-agents that provide agency referrals.⁴⁵ This means that the main channel used by OFWs to discover their employment agency is particularly hard to monitor and can be influenced by employment agencies themselves.

45 Ibid, p. 547

⁴⁰ Dovelyn Rannveig Agunias (2010). Migration's Middlemen: Regulating Recruitment Agencies in the Philippines-United Arab Emirates Corridor. Migration Policy Institute. Link

⁴¹ POEA (n.21) Part II, Rule II, Section 123.

⁴² Debonneville, J. (2021). An organizational approach to the Philippine migration industry: recruiting, matching and tailoring migrant domestic workers. Comparative Migration Studies, 9(1), 1-20.

⁴³ UNODC (n. 17)

⁴⁴ Cranston, S.; Schapendonk, J. & Spaan, E. (2018). New directions in exploring the migration industries: introduction to special issue, *Journal of Ethnic and Migration Studies*, 44:4, 543-557. p.545

Table 2: Channels used by OFWs to first discover their employment agency

Question: "How did you first discover the employment agency that you used to secure your last job as an OFW?" [Choose one]

Channels	Count	Percent of respondents (n=961)
Word of mouth	225	23.4%
Online Job Fair	182	18.9%
WorkAbroad.ph46	137	14.3%
Government website/list	131	13.6%
In-person Job Fair	106	11.0%
Facebook	74	7.7%
OFW Online Forum	48	5.0%
Online advertisements	25	2.6%
Youtube	4	0.4%
Posted fliers/Ads	22	2.3%
Other	7	0.7%
TOTAL	961	100.00%

The next most frequently used channels consisted mainly of lists and websites to find a job abroad, online or in-person. In total, these categories were chosen by 57.9% of OFWs in our sample. Findings then suggest that the processes of finding a job abroad and finding an employment agency are deeply intertwined in OFW migration processes. Other channels such as Facebook (7.7%), Youtube (0.4%) or advertisements (online or physical, 4.9%) were reportedly less commonly used by agencies to reach prospective OFWs.

Despite the potential digital bias of our sample, findings indicate that, while in-person channels are frequently used by OFWs, a majority of OFWs in our sample first interact with their employment agency via digital means. **Figure 3** below outlines that a majority of survey respondents (62.5%) first discovered their employment agencies online.





46 A popular job-searching platform among OFWs dedicated to jobs abroad.

B. ACTORS INFLUENCING OFWS IN THEIR DECISION OF CHOOSING A PARTICULAR EMPLOYMENT AGENCY

The study investigated whether OFWs were influenced by any other actors in selecting an employment agency. **Table 3** outlines the most commonly reported actors that referred OFWs to their employment agency.

Data suggest that a large majority of OFWs were influenced by other actors in their choice of employment agency, as 94.1% of OFWs in our sample mentioned they were referred to their agency. In accordance with the main channels for discovering an employment agency, OFWs mainly cited referral sources among their social network, such as "Current or former OFW" and "Family or friend that is not a current/former OFW", tallying respectively 33.7% and 26.1% of OFWs. One fifth of OFWs in our sample were reportedly recruited directly by employment agency staff, indicating the prevalence of formal or informal brokers working within OFW communities at a local level. The "POEA", a government agency, was the fourth most commonly reported source of referral to employment agencies (19.5%).

Table 3: Sources of referrals for employment agencies

Question: Did any of the following people or organisations refer you to your employment agency? [Select all that apply]

Sources of referral	Count	Percent of respondents (n=961)
Current or Former OFW	324	33.7%
Family or friend that is not a current/former OFW	251	26.1%
Employment agency staff	191	19.9%
POEA	187	19.5%
DOLE	105	10.9%
Employer	103	10.7%
No one referred me	57	5.9%
Recruiter/broker	102	10.6%
PESO	71	7.4%
TOTAL	1428	148.6%

The relatively high proportion of OFWs citing the "POEA" as a source of referral can be explained by the fact that the government agency advertises job offers through official lists on their website. This is confirmed by the fact that the relation between the variable "having POEA as a source of referral" and the channel to first discover an employment agency was significant: OFWs who cited "POEA" as their source of referral were statistically more likely to have first discovered their employment agencies through "Government websites/lists", $\chi^2(1, N=961) = 43.1, p < .05$.

However, we also find that OFWs who cited "POEA" as their source of referral were also more likely to cite "workabroad.ph" ($\chi^2(1, N=961) = 15.5, p < .05$) or "Online job fairs" ($\chi^2(1, N=961) = 7.0, p < .05$) as their main channel for discovering their employment agency. In other words, compared with OFWs who did not mention the POEA as a source of referral, OFWs who said they were referred to their agency by the POEA were more likely to have first discovered their agency on the website workabroad.ph or through online job fairs. Given that these two channels are non-governmental, it raises the question of the use of the POEA logo and image on the websites. The website "workabroad.ph" for example clearly displays the POEA logo on its homepage with the mention "In partnership with agencies accredited by", despite the fact that not all agencies advertised on the website are accredited by the POEA, leaving it up to the OFW to check if the agency is accredited or not.⁴⁷

⁴⁷ See the homepage of "<u>workabroad.ph</u>", Accessed 28th Sept. 2021.

C. MAIN CRITERIA CONSIDERED BY OFWS WHEN CHOOSING A PARTICULAR EMPLOYMENT AGENCY

Finally, we analyzed the main choice criteria for selecting a particular employment agency. The goal of this question was to analyze to which extent OFWs in our sample could choose according to market factors, such as price, quality, or convenience, or if they were constrained in their choice by other factors. The results are displayed in **Table 4** below.

Table 4: Criterion for choosing a particular employment agency

Question: "What is the main reason(s) that you chose your employment agency?" [Select all that apply]

Reason for choosing an employment agency	Count	Percent of respondents (n=961)
Agency had a good reputation	441	45.9%
Agency provided an employer immediately	270	28.1%
I needed a job urgently so selected the first agency I came across	256	26.6%
Price was fair	191	19.9%
I did not have enough money to shop around agencies	82	8.5%
Agency took my documents (the OFW could not shop around)	80	8.3%
Alternative agencies were too far away	71	7.4%
I did not know about any other agencies	62	6.5%
Other	13	1.4%
TOTAL	1466	152.5%

"A good reputation" was an important factor for almost half of the OFWs in our sample (45.9%), and 16.8% of the OFWs cited it as the only criteria for choosing a particular employment agency, showing again the importance of word-of-mouth in OFWs migration processes. The second most cited criteria was "Agency provided an employer immediately" (28.1%), which highlights the importance of finding a job over other criteria when choosing a particular employment agency.

Importantly, a consequent proportion of the OFWs in our sample mentioned reasons that were linked to constraints. In total, 41.9% of OFWs mentioned at least one of the following considerations among the factors that pushed them to select the employment agency they used to secure their latest job abroad: lack of time (26.6%) or money (8.5%) available to shop around, having their documents confiscated by the agency (effectively restraining OFWs to start a migration process with another agency) (8.3%), or alternative agencies being too far away (7.4%). This analysis shows that an important proportion of OFWs are not in capacity to properly compare employment agencies and choose the one that seems best for them, even if they would have enough knowledge to determine if the agency used unethical practices or not.

Section Two: Influence of external pressure and referrals on OFWs' choice of training center, medical clinic and money provider

The selection of an employment agency marks the beginning of the OFW's pre-departure administrative process. Along this process, several other migration intermediaries are involved. In this research, we focused on three of them - training centers, medical clinics and money providers - for their capacity to charge OFWs with different types of fees and, by extension, the risk of debt bondage they carry. Given that employment agencies are forbidden by law to "arrange compulsory and exclusive arrangement[s]" between employment agencies and money providers, medical

clinics or training centers,⁴⁸ OFWs should be able to freely choose the one they use, unless the principal⁴⁹ shoulders the costs of the specific training or medical exam it requires.

In **Section Two**, we analyze in effect what decision power OFWs have in selecting these migration intermediaries, first by looking at the level of pressure they perceive when making their choice and second by determining which actors are most frequently requiring or pressuring them to choose a particular migration intermediary. In particular, the goal was to assess the role of employment agencies in referring OFWs to other migration intermediaries.

In order to measure the level of pressure experienced by OFWs when choosing migration intermediaries, we asked the question: "Do you feel that you had the option or ability to choose which [training center / medical clinic / money provider] you paid for/used?". Respondents could answer on a 7-point Likert scale with "1" being "No, I had no choice", "4" being "I was indifferent", and "7" being "It was entirely my decision". In **Figure 4** below, the seven points of the Likert scale have been grouped by levels of pressure experienced, namely:

- **High pressure**: 1 and 2 on the scale, comprising the answers "No, I had no choice" and "I was pressured to use this one", expressing explicit influence of external factors on the OFW's choice.
- Moderate pressure: 3 and 5 on the scale, comprising the answers "I wasn't presented with an alternative" and "I had limited options to choose from". These two were grouped together in order to take into account a practice that has been anecdotally observed at Migrasia's Legal Clinic. Employment agencies would give Filipina domestic workers apparent choice between a limited number of migration intermediaries, but would be colluding with all of them, thus defeating the purpose of giving a choice. However, despite expressing a limited choice for the OFW, not being presented with alternatives and having limited options do not include explicit pressure from external factors, hence the categorization as "Moderate pressure".
- Low pressure: 6 and 7 on the scale, comprising the answers "I had several options to choose from" and "It was entirely my decision", capturing higher freedom of choice.

• **Indifferent**: 4 on the scale, comprising the answer "I was indifferent".

We then identified the potential source of pressure. For each migration intermediary, we then asked OFWs "Who, if anyone, required or pressured you to use a particular [training center / medical clinic / money provider]?"

First, evidence suggests that a consequential proportion of OFWs in our sample experienced high pressure when having to choose migration intermediaries: in our sample, almost half the OFWs (42.6%) experienced high pressure (1 or 2 on our scale) at least once, and almost one in ten OFW (9.6%) reported experiencing high pressure when choosing all their migration intermediaries.

Conversely, 18.3% experienced low pressure only (6 or 7 on our scale) when choosing their training center, medical clinic, or money provider. However, the fact these OFWs did not report feeling pressured in their choice does not seem to indicate that no one influenced them in choosing a particular migration intermediary. In our sample, only 6% of OFWs stated that no one at any point had required or pressured them to use either a particular training center, medical clinic or money provider, meaning that 94% reported at some point being influenced by another actor when making their decision.

Second, our results reveal that a high level of pressure and specific sources of referral are observed for the three migration intermediaries considered.

In order to compare the levels of pressure and sources of referral of OFWs when choosing their training center, medical clinic or money provider, **Figure 4** below summarizes the distribution of the levels of pressure experienced by OFWs while **Figure 5** presents an oversight of the sources of pressure per migration intermediary, grouped by categories. As OFWs could select multiple sources of pressure, the percentages for **Figure 5** are given in proportions of the total number of answers. Both figures are a combination of three questions, one for each migration intermediary considered, namely training center, medical clinic, and money provider. The exact questions for each migration intermediary considered are displayed in **Figure 4.a, 4.b, 4.c** and **Figure 5.a, 5.b, 5.c** further below.

⁴⁸ According to the POEA, such arrangements constitute "illegal recruitment", unless the use of a particular training center or medical clinic is required by the employer/principal, in which case the cost should be shouldered by the principal. (Source: POEA (n. 23). Part II, Rule X, Section 76, s. and t.)

⁴⁹ Defined by the POEA as "the employer, or [...] foreign placement agency or [...] foreign service contractor/staffing agency, hiring Filipino workers for overseas employment". POEA (n. 23)



Question: Do you feel that you had the option or ability to choose which [migration intermediary] you paid for/used?

Note: For Figure 4 and 5, the category "Money provider" consisted of OFWs who borrowed money only. The percentage of OFWs displayed are then based on sample sizes n= 961 for "Medical clinic" and "Training center", and n = 774 for "Money provider".

Figure 5: Categories of sources of referral per migration intermediary



Question: Who, if anyone, required or pressured you to use a particular [migration intermediary]? [Select all that apply]

Note: The category "Other migration intermediaries" tries to capture the occurrences of referral amongst training centers, medical clinics and money providers. As such, the answers composing this category varies for the three migration intermediaries considered. For example, the category "Other migration intermediaries" for the question about referring to a particular training center would contain the answers "Medical clinic" and "Money provider", while for medical clinic it would contain the answers "Training center" and "Money provider", while for medical clinic it would contain the answers "Training center" and "Money provider".

The rest of **Section Two** below is dedicated to the analysis of the trends of pressure and referral sources for each migration intermediary. **Figure 4 and 5** are subsequently modified to display only the migration intermediary considered. Just as in **Figure 5**, the percentages given for **Figure 5.a**, **5.b**, **5.c** are also proportions of the total number of answers. In order to facilitate the reading for **Figures 4**, **4.a**, **4.b**, **and 4.c**, the colors reflect the grouping done in **Figure 4** above (High pressure, Moderate pressure, Low pressure, Indifferent).

A. PRESSURE EXPERIENCED AND SOURCE OF REFERRAL FOR MEDICAL CLINICS

Figure 4.a: Pressure experienced by OFWs when choosing their medical clinic

Question: Do you feel that you had the option or ability to choose which medical clinic you paid for/used?



... medical clinic you paid for?

Figure 5.a: Categories of sources of referral for medical clinics

Question: Who, if anyone, required or pressured you to use a particular medical clinic?



% of responses vs Responses per type of actor

For medical clinics, the level of pressure was the highest compared with other migration intermediaries. In our sample, 32% of OFWs reported a high level of pressure, which is almost the same proportion as OFWs who felt low pressure (33.3%) when choosing this migration intermediary.

This high level of pressure perceived by OFWs could be due to specific rules regarding medical examinations for different destination countries, like the requirement to use medical clinics accredited by the country of destination. This is the case for OFWs bound for Gulf Cooperation Council countries⁵⁰ (GCC) for example. For these destination countries, OFWs must choose their medical clinic among a list that is accredited by the Gulf Approved Medical Centers Association (GAMCA) that comprises 29 clinics, mainly located in Manila.⁵¹

	G	сс	East Asia		North America		Other	
	n	%	n	%	n	%	n	%
High pressure (1 or 2)	129	35.6%	121	30.8%	25	20.0%	29	46.0%
Moderate pressure (3 or 5)	50	13.8%	61	15.5%	24	19.2%	10	15.9%
Low pressure (6 or 7)	110	30.4%	142	36.1%	49	39.2%	13	20.6%
Indifferent (4)	73	20.2%	69	17.6%	27	21.6%	11	17.5%
TOTAL	362	100.0%	393	100.0%	125	100.0%	63	100.0%

Table 5: Level of pressure experienced by OFWs per destination country

Note: The 18 OFWs who selected "Prefer not to say" were removed from the analysis (n = 943).

A Pearson's chi-square test for homogeneity was performed to examine if the distribution of the level of pressure perceived when choosing a particular medical clinic was the same for OFWs bound to different destination regions. Data suggests that the level of pressure does vary depending on the destination regions of OFWs, χ^2 (9, N=944) = 20.3, p < .05. In particular, OFWs bound to GCC countries feel particularly pressured when choosing their medical clinic, with 35.6% of OFWs with this destination experiencing high pressure. Moreover, OFWs bound for this destination did not reply that they had limited options, as it could be expected if they had to choose between a limited list of medical clinics. This can suggest that the list provided is so narrow that OFWs bound to GCC countries felt pressured to choose a particular medical clinic, despite the abolition of the practice of "decking". Through this practice, applicants for GCC countries would be required to ask for an appointment from a centralized office that would refer them to an accredited clinic, without the migrant having the choice of the clinic. The abolition of "decking" in 2015⁵² was supposed to help OFWs avoid being assigned a particular clinic when bound to GCC countries, but our results suggest that OFWs bound to these destinations still report higher pressure when choosing their medical clinic.

In terms of referral trends, the category "Employment agencies" was, by far, the first source of referrals for medical clinics: "Employment agencies" constituted 53.3% of the answers given by OFWs in our sample (**Figure 5.a** above).

B. PRESSURE EXPERIENCED AND SOURCE OF REFERRAL FOR MONEY PROVIDERS

High levels of pressure and referrals from employment agencies were also commonly experienced by OFWs when choosing their money provider. Although there is an apparent prevalence of low pressure and "No one" and "Acquaintances" as sources of referral, data suggests that this could be influenced by the ability of OFWs to borrow from family and friends.

⁵⁰ Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates

⁵¹ Labour Market Authority of Bahrain, Authorised Health Centres (Philippines). Accessed 23rd Sept. 2021. Link.

⁵² DOLE (Aug. 2015) Baldoz, DFA's del Rosario, Justice's De Lima, and Health's Garin sign joint memorandum circular abolishing GAMCA "decking referral system". Link. Accessed 7th Oct. 2021.

Figure 4.b: Pressure experienced by OFWs when choosing their money provider



Question: Do you feel that you had the option or ability to choose which money provider to borrow from?

Figure 5.b: Categories of sources of referral for money providers





First, 17.2% of OFWs in our sample reported experiencing high pressure, and 18.6% felt they were not presented with an alternative or had limited options to choose from when choosing their money provider. A majority (53.4%) of the OFWs perceived low pressure levels when choosing their money provider, which was the highest among all the migration intermediaries considered.

However, data suggests that this apparent high proportion of OFWs experiencing low pressure when choosing their money provider could be due to the high proportion of OFWs who borrowed money from their family and friends instead of borrowing from commercial money providers such as employment agencies, lending companies or banks. In our sample, 66.7% of OFWs selected "Family and friends" as one of their money providers for financing their migration, and almost half the OFWs who borrowed money (49.2%) selected the category as their sole source of financing. This finding confirms the general borrowing habits of OFWs presented in the 2018 Philippines National Migration Survey (**NMS**), which shows that family is the main source of financial support for both first and last international moves.⁵³

53 PSA (2018) National Migration Survey. Link. p. 65

A Pearson's chi-square test for association was conducted in order to see whether the levels of pressure perceived differed between OFWs who had borrowed money only from family and friends (381), and OFWs who did not borrow from family and friends at all (258). Results show that OFWs who borrowed from family and friends only were more likely to experience low pressure, χ^2 (1, N = 639) = 6.77, p < .05 (with Bonferroni correction).

Second, despite the high proportion of OFWs borrowing from family, the category "Employment agencies", both in the Philippines and overseas, was the second highest source of referral (23.6% of answers), showing again the prevalence of these actors in referring OFWs to other migration intermediaries. "No one" and "Acquaintances" were important sources of referral for OFWs choosing a money provider (respectively 30.6% and 23.4% of answers), but, again, results of Pearson's chi-square tests for association (with Bonferroni correction) reveal that OFWs borrowing from family and friends only were more likely to select "No one" (χ^2 (1, N = 639) = 44.82, p < .05) and "Family or friend that is not a current/former OFW" (χ^2 (1, N = 639) = 20.94, p < .05) as a source of referral for their money provider. Conversely, OFWs who borrowed from commercial money providers only were more likely to be referred by an "Employment agency" (χ^2 (1, N = 639) = 71.26, p < .05) or an "Overseas employment agency" (χ^2 (1, N = 639) = 11.72, p < .05). **Table 6** below illustrates the discrepancies between the sources of referral for the two groups of OFW; the ones borrowing from family and friends only and the ones borrowing from other sources only.

Sources of referral	OFWs who did not borrow from family and friends		OFWs who borrowed from family and friends only		
	Count	Percent of respondents (n=258)	Count	Percent of respondents (n=381)	
No one required or pressured me to use a specific money provider	68	24.4%	202	53.0%	
Family or friend that is not a current/for- mer OFW	31	11.2%	103	26.8%	
Employment agency	92	35.7%	34	8.7%	
Overseas employment agency	28	10.9%	16	3.9%	
Employer	20	7.8%	14	3.4%	
Existing/Former OFW	16	5.8%	15	3.7%	
Training center	15	5.8%	9	2.4%	
Medical clinic	10	3.9%	6	1.6%	
Other	35	13.6%	17	4.5%	
Total	315	122.1%	416	109.2%	

Table 6: Sources of referral for money providers per source of financing

Although these results seem to indicate that borrowing from family and friends reduces the risk of debt bondage, anecdotal evidence from interactions with Filipino migrant domestic workers at Migrasia's Legal Clinic showed that borrowing from family members or friends can also have negative consequences for migrants. Thus, encouraging OFWs to borrow from their family should not be seen as a viable solution to reduce the risks of debt bondage. First, borrowing from family or friends does not always mean interest-free loans; indeed, some of the most egregious loan terms stem from informal loans from friends and family members. Second, debt from friends or family can be a source of tension and resentment if the OFW is not able to repay the debt, thus eroding social ties at home. Third, informal loans from family and friends are difficult to challenge even if their terms are illegal, both because of social pressures and the informal nature of the borrowing. Further research on the reasons, conditions, and consequences of borrowing from family and friends conducted in the context of this study revealed a gap in the literature that should be addressed.

C. PRESSURE EXPERIENCED AND SOURCE OF REFERRAL FOR TRAINING CENTERS

Figure 4.c: Pressure experienced by OFWs when choosing their training center

Question: Do you feel that you had the option or ability to choose which training center you paid for/used?



Figure 5.c: Categories of sources of referral for training centers





Finally, the level of pressure perceived and the main sources of referral for training centers were consistent with the ones for medical clinics and money providers: OFWs were also pressured when choosing their training center, with more than one in five (22.3%) OFWs reporting they experienced high pressure at that point in their migration process, and an additional 15.5% reporting limitations in their choices ("Moderate pressure").

Employment agencies were by far the most cited source of referral for training centers (44% of answers). In comparison with the sources of referral for medical clinics and money providers, "Government agencies" (13.6%) and "Employer" (10.3%) were more often cited as sources of referral for training centers, despite the proportions still being low.

Thus Section Two has shown that, along their migration process, a substantial proportion of OFWs feel highly pressured to choose particular migration intermediaries. The source of that pressure is often employment agencies, either in the Philippines or in the destination country. Other migration intermediaries have much less influence on OFWs' choice, suggesting that training centers, medical clinics and money providers do not successively refer to each other in a snowball effect fashion. Instead, our results show that, throughout the migration process, employment agencies position themselves at the center of a network of migration intermediaries and take advantage of that position to influence OFWs' decision-making process during their pre-departure phase. Section Three then explores the consequences of this setting by looking at the risk of debt bondage faced by OFWs.

Section Three: Risk of debt bondage and impact of the interactions between migration intermediaries and OFWs on fees paid

Debt bondage being one of the most prevalent forms of forced labor, **Section Three** examines the risk of debt bondage posed by training fees and medical fees by comparing the general level of debt of OFWs in our sample with the amount of fees paid. In addition to the amount of debt contracted, our questionnaire also probed for repayment conditions (duration and percentage of salary dedicated to the payment of the debt). The impact of the pressure experienced when choosing a particular training center or medical clinic on the corresponding fees was then analyzed.

A. GENERAL LEVEL OF DEBT, REPAYMENT CONDITIONS, AND SOURCES OF FINANCING

Debt was prevalent in our sample, as 80.5% of OFWs went into debt in order to finance their last job abroad. More than 30% of them (31.5%) went into a debt whose amount was larger than their household yearly income, which constitutes an important risk for OFWs and their family.

In terms of the repayment conditions, we find that a substantial amount of time and share of salary was dedicated by OFWs to repay their debt. Most OFWs who had borrowed money (68.6%) dedicated between 1% and 20% of their salary to debt repayment, while 16.4% of OFWs dedicated more than 20% of their salary, with the median range being 1-10%.

When it comes to the repayment period, OFWs in our sample spent on average 9.3 months to repay their debt, with some OFWs reporting repayment periods as long as 36 months. While the majority of OFWs (60.9%) spent less than a year repaying their debt, more than one in three (35%) spent more than a year repaying their debt. Combining the two variables, we find that 17% of OFWs in our sample spent more than a year dedicating more than 10% of their salary to repay the debt they contracted in order to be able to migrate.

As stated in **Section Two**, in terms of sources of financing, most OFWs in our sample borrowed from family and friends (see **Figure 6** below). Other than "Family and Friends", the percentage of OFWs selecting other types of money providers among their sources of financing was substantially lower. The second source of financing was "My employment agency" (19.4%) though, showing the prevalence of the role of these actors in arranging the loans, before lending companies (16.2%) or banks (9.82%). The average number of sources of financing being 1.3 per person, it suggests that, in the majority of cases, OFWs contracted their debt with one entity only.

Figure 6: Distribution of sources of financing





Despite the predominance of family and friends as a source of financing, about a third of OFWs (33.3%) borrowed from all sources but family and friends, namely employment agencies, lending companies, their employers, banks, or pawn shops.

B. TRAINING FEES, MEDICAL FEES, AND RISK OF DEBT BONDAGE

Any fee charged to the OFW during the migration process impedes resilience and represents a potential risk. Domestic workers being a particularly vulnerable population, the Philippines has implemented since 2006 a policy of no placement fees for this category of workers, and limited placement fees to "one month basic salary specified in the POEA approved contract" for all other OFWs.⁵⁴ The POEA defines placement fees as "all amounts charged by a recruitment agency from a worker for its recruitment and placement services".⁵⁵ Despite such policies, a white paper from the ILO shows that migrants, especially low-skilled, are still particularly vulnerable to debt bondage due to the current structure of the recruitment processes, and hence recommends the adoption of an employer-pays system for all recruitment fees currently borne by low-skilled workers.⁵⁶ Anecdotal evidence from Migrasia's direct client engagement supports these findings in the context of the Philippines-Hong Kong migration corridor: often, excessive training fees and medical fees are charged to migrant workers in order to circumvent the POEA "no placement fee" rule.

Supporting this anecdotal evidence, findings from this study reveal that potentially a large part of our sample paid excessive medical and training fees, and that these fees constitute a substantial part of the debt that was incurred by OFWs in our sample.

First, training fees are not on the list of costs chargeable to OFWs and, except from the pre-departure seminars provided for free by the government (the PDOS, PEOS, and specific training like CPDEP in the case of domestic workers for example), no other training is required by the government in order to be able to migrate. Furthermore, recruitment agencies cannot compel overseas Filipino workers to attend and pay for training prior to their deployment.⁵⁷ In case the employer requires a specific training from the OFW in a specific training center, the cost should then be shouldered by the employer.⁵⁸

55 Ibid, p.3

⁵⁴ POEA (n. 23) Part II, Rule V, Section 51, a

⁵⁶ Jureidini, R. (2016). Ways Forward in Recruitment of Low-skilled Migrant Workers in the Asia-Arab States corridor. *ILO White Papers*. ILO Regional Office for the Arab States - Beirut. Link.

⁵⁷ Mandap, D. (Nov. 2020). "POEA tells Phl recruiters, you cannot make OFWs pay for training". The Sun HK, Link. Accessed 23rd Sept. 2021.

⁵⁸ POEA (n. 23) Rule X, Section 76, t

Despite this, 87.9% of OFWs in our sample declared paying training fees during their last migration. Given the diversity of the occupations and destination countries of our sample, it is difficult to determine if these fees were excessive or not, but potentially a large part of the 87.9% of our sample should not have been charged training fees at all. Most of the OFWs in our sample (71.8%) paid below PHP30,000 (\$1,476 at PPP in 2020)⁵⁹ in training fees, while 13.4% paid more than PHP30,000. Among OFWs who paid training fees, the average amount paid was PHP19,096 (\$940).

Figure 7: Distribution of training fees paid by OFWs



Question: "What was the total amount that you paid for training (for example, NC II; Enhancement/Phase II; Language)?"

Second, while medical examination fees can be shouldered by OFWs (provided that the examinations do not take place in a specific clinic as a requirement from the OFW's employer),⁶⁰ the Department of Health (DoH) limits their amount to PHP2,200 (\$108).⁶¹ Yet, in our sample, about 58.3% of OFWs in our sample paid more than PHP2,500,⁶² above the PHP2,200 limit set by the DoH. Again, if it is hard to account for all individual cases where OFWs need to undergo additional medical tests for health reasons, potentially a large part of these 58.3% were charged excessive fees. On average, the amount of medical examination fees paid by OFWs was about PHP4,023 (\$198), almost double the DoH legal limit (**Figure 8**).

^{59 1} international \$ = 20.325 LCU. Source: World Bank (2020). PPP conversion factor, private consumption (LCU per international \$) - Philippines. Link. Accessed 23rd of Sept. 2021.

⁶⁰ POEA (n. 23) Rule X, Section 76, s

⁶¹ Department of Health (2013) Basic DOH PEME Scheme for Overseas Work Applicants - Annex K. p.4. Link.

⁶² The choice to split the range at PHP2,500 was made in order to keep the consistency with the ranges for training fees and to not draw suspicion of respondents on the PHP2,200 limit for the knowledge test (see Section Four).



Question: "What was the total amount that you paid for your fit-to-work certificate ?"

In order to determine the percentage of total debt that training fees and medical fees represent, the range given by OFWs in our sample were converted to a single value corresponding to the middle of the range. The middle-values were then used to calculate the percentage of total debt that the training and medical fees represented, giving a percentage for each OFW. The percentages of total debt incurred by training and medical examination fees were then assigned to ranges, and the number of OFWs pertaining to each range was counted. It yielded **Figure 9** below, which displays the contributions (given in percentage) of training and medical fees to our sample's total debt.

Figure 9: Percentage contribution of training fees and medical examination fees to the OFWs' total debt



PROPORTION OF TOTAL AMOUNT BORROWED DEDICATED FOR TRAINING AND

Note: OFWs who replied "Prefer not to say" to any of the questions about the amount of debt contracted or the fees paid were removed from the analysis (n = 743).

sThe distribution of the contribution of medical examination fees to OFWs' total debt (in red in **Figure 9**) was concentrated in the lower ranges: 81.6% of OFWs paid medical examination fees that contributed between 0.1 and 30% of the total amount of money borrowed. For 10.1% of them though, the medical examination fees contributed to more than 30% of their debt. There was not a single occurrence for which an OFW had medical fees that were equal to the total amount of debt borrowed.

In contrast, the distribution of the contribution of training fees to OFWs' total debt (in blue in **Figure 9**) was more spread out: while the median percentage of debt contribution for medical examination fees was 10.7%, the median contribution for training fees was 45.5% of the OFWs' total debt. Only 23% of OFWs in our sample paid training fees that contributed between 0.1 and 30% of the total amount of money borrowed, while 49.1% of OFWs paid training fees that accounted for more than half their debt. Among them, more than 20% paid for training fees that corresponded to the total amount of debt they borrowed.

As a consequence, medical and training fees contribute differently to the total amount of debt contracted by OFWs. Medical examination fees represent a relatively constrained proportion of the amount of the debt contracted by OFWs, but frequently exceed the limit set by the DoH. In contrast, the contribution of training fees to the total amount borrowed varies widely, with an important portion of OFWs who most likely went into debt to pay their training fees only.

C. IMPACT OF HIGH PRESSURE LEVELS AND COLLUSION OF MIGRATION INTERMEDIARIES ON FEES PAID

In order to complete the analysis of the influence of migration intermediaries on the risk of debt bondage in our sample, we investigated if there were correlations between pressure levels and the sources of referral for training centers and medical clinics on the respective fees paid by OFWs.

First, a Pearson's chi-square test for homogeneity was conducted in order to see if the distribution of training and medical fees paid differed depending on the level of pressure perceived by the OFW when choosing their training center or medical clinic. We found that, for OFWs who reported paying fees, there was no significant difference between the amount of training and medical fees paid by OFWs depending on the levels of pressure experienced. This indicates that the proportion of OFWs paying high training fees does not vary between those who are highly pressured into choosing a particular migration intermediary and those not experiencing any pressure. It should be noted though that, among OFWs reporting high pressure when choosing their training center or medical clinic, only less than one in five did not pay. This means that respectively 80.5% and 80.3% of OFWs who were highly pressured when choosing their training center and medical clinic still paid corresponding fees, despite the POEA rule compelling employers or employment agencies to pay for training or medical fees if a particular training center or medical clinic is imposed on the OFW.

Similarly, a two-sample Kolmogorov-Smirnov test was conducted in order to see if the distribution of training and medical fees paid was different between OFWs who had been referred to their training center or medical clinic by one or more migration intermediary compared with OFWs who did not have any migration intermediary as a source of referral. It appears that there was no significant difference between the distribution of training fees and medical fees paid by OFWs depending if they had been referred to their training center or medical clinic by one or more migration intermediaries or not.

Given these findings, we cannot conclude that high pressure and referral between migration intermediaries correlate with higher risks of debt bondage. But the data shows that OFWs frequently get pressured to select and personally pay for particular medical clinics or training centers, despite the existence of regulations preventing such practices. And the analysis of OFWs' knowledge of such regulations in **Section Four** shows that OFWs are mostly misinformed on these critical points.



Section Four: Information flows and impact on OFWs' knowledge about illegal recruitment practices

Because training fees and medical fees represent such a substantial part of the debt incurred by OFWs, knowledge about what constitutes legal or illegal fees, as well as mandatory or non-mandatory fees is of utmost importance.

In **Section Four**, we measure the knowledge of OFWs in our sample regarding these topics, evaluate the prevalence of migration intermediaries as a source of information, and analyze the type of information they are spreading to OFWs.

A. OFWS' GENERAL LEVEL OF KNOWLEDGE ABOUT MIGRATION-RELATED FEES

In order to test their knowledge, we asked OFWs in our sample five questions related to legal and illegal practices during the migration process. These questions have been chosen for their implications on the risk of debt bondage it would represent in case they would not know the correct answer:⁶³

- 1. Can employment agencies legally require an OFW to use a specific training center at the OFW's own expense?
- 2. What, if any, is the maximum amount that can be charged by medical clinics for the fit-to-work certificate?
- 3. Can employment agencies legally require an OFW to use a specific money provider?
- 4. Is training required in order to be able to take the NC II examination and receive the NC II certificate?
- 5. Can employment agencies legally require an OFW to use a specific medical clinic at the OFW's own expense?

The results of the test per question are displayed in **Figure 10** below:



Figure 10: Response rate of OFWs per question

Note: the questions in this figure correspond to the questions exposed above.

63 The responses are: 1. No; 2. PHP2,200; 3. No; 4. No; 5. No. For more detailed explanations and the references to the sources linked to each response, see Annex 1.

Figure 10 illustrates that the sample was overwhelmingly misinformed on these topics: almost half of OFWs in our sample (49.3%) did not give a single correct response to the five questions. Additionally, despite our questionnaire encouraging OFWs to answer "I do not know" in case of doubt, OFWs in our sample were also very sure of themselves, as more than half of them (53.3%) did not select "I do not know" once.

OFWs answered predominantly incorrectly to the question Q4: "Is training required in order to be able to take the NC II examination and receive the NC II certificate?" Additionally, it is also the question for which OFWs expressed least doubt: for this question, the percentage of OFWs who answered "I do not know" was the lowest (10.5%). This question is particularly important given the implications it has on OFWs' debt. While passing the NC II examination is mandatory to be allowed to be deployed, attending training to take the examination is not.⁶⁴ Thus, by believing that the NC II training is required to take the NC II examination, OFWs can be compelled to pay the corresponding training fees, contract debt, and be exposed to unethical actors. As seen in **Section Three**, training fees can constitute an important proportion of the debt contracted by OFWs.

This risk is illustrated by the percentage of OFWs in our sample who attended the NC II training. The latter was the training most frequently attended (65.4%), before free but mandatory government-provided training like the PDOS (44.3%). Furthermore, only 15% of OFWs reported attending the PEOS, a free and mandatory online training "for all applicants for overseas employment"⁶⁵ whose purpose is partially to inform OFWs about illegal recruitment practices.

Figure 11: Distribution of the types of training attended by OFWs



Question: Which, if any, of the following trainings did you attend in preparation for your overseas work?

B. SOURCES OF INFORMATION AND MISINFORMATION DURING THE MIGRATION PROCESS

After asking the first question (Q1: "Can employment agencies legally require an OFW to use a specific training center at the OFW's own expense?"), we asked our sample "Where did you learn that?" in order to investigate the sources of information and the actors spreading misinformation to OFWs. This allowed us to analyze the sources of information of the 113 OFWs who responded correctly, and of the 657 OFWs who selected the incorrect answer. **Figure 12** below displays the distribution of the OFWs' source of information depending if they responded correctly to question Q1 or not, grouped per category. As OFWs could select multiple sources of information, the percentages below are given in proportions of the total number of answers.

⁶⁴ The Sun HK (n. 59)

⁶⁵ POEA (n. 23) Rule IV, Section 221.

Figure 12: Proportion of migration intermediaries, government agencies and acquaintances as a source of information for OFWs



Question: "Where did you learn that? [Select all that apply]" to question 1 ("Can employment agencies legally require an OFW to use a specific training center at the OFW own expense?")

Data suggest that "Migration intermediaries" play a significant role in spreading misinformation, as it tallied 55.5% of the answers of OFWs who responded incorrectly. Conversely, "Government agencies" are an important source of accurate information for OFWs who answered correctly to the first question. "Government agencies" constitute 27.7% of answers for OFWs who replied incorrectly. This could be an indication that information given by these actors are not clear enough regarding the topic related to the question. Alternatively, it could also suggest that, as evoked in **Section One**, some actors are spreading incorrect information to OFWs while using the image or referring to government agencies. The proportion of "Acquaintances" in the responses stays stable regardless of the correctness of the response given to the first question.

In order to gain insights on the knowledge gained through the migration process, we also asked "If your knowledge of Philippines OFW laws has improved since working overseas, where did you learn more?". This question allowed us to also gauge which actors were providing information to Filipino migrants about OFW laws throughout the migration process.

In our sample (**Table 7**), "Employment agency" was the most cited source, with 41.1% of OFWs citing them as a source of information. The first government agency, the POEA, came second (37.7%), before "Overseas employment agency" (24.3%), "Training center" (21%) and another government agency, the DOLE (20.9%). As a consequence, the first five sources of information about OFW law were composed of three migration intermediaries and two government agencies. Other than employment agencies and training centers, migration intermediaries like "Medical centre" and "Lending company" arrived last and were both cited by about 3% of OFWs. Only 1.66% of OFWs said that their knowledge did not improve, meaning that almost all the OFWs in our sample felt that they learned about OFW law during their migration process.

Table 7: Distribution of main sources of information post-deployment per OFWs

Question: "If your knowledge of Philippines OFW laws has improved since working overseas, where did you learn more? [Select all that apply]"

Translation	Count	Percent of respondents (n=961)
Employment agency	395	41.1%
POEA	362	37.7%
Overseas employment agency	233	24.2%
Training centre	202	21.0%
DOLE	201	20.9%
Former or current OFW	190	19.8%
Family or friend which is not a current or former OFW	138	14.4%
PDOS	119	12.4%
PESO	78	8.1%
Other governmental agency	58	6.0%
PEOS	42	4.4%
Medical centre	30	3.1%
Lending company	28	2.9%
l don't know	24	2.5%
My knowledge hasn't improved	16	1.7%
Other	3	0.3%
TOTAL	2119	220.50%

When grouping OFWs' answers per category (**Figure 13**), we find that employment agencies and other migration intermediaries are a source of knowledge that is comparable to the government agencies (resp. 41.9% and 40.6% of answers), meaning that even after migration, migration intermediaries are still an important of source of information for OFWs.






CONCLUSION

The purpose of this study was to address important information gaps concerning the pre-departure phase of OFW migration. It informed how migration intermediaries intersect with the OFW migration process, and specifically: how migration intermediaries reach and recruit workers at the earliest stages; how they inform prospective migrants after reaching them; and the other factors that influence OFW decision-making in the pre-departure phase. We investigated the existence of collusion between migration intermediaries and its effect on OFW exploitation. Despite several initiatives to help OFWs avoid exploitation, including laws curbing migration intermediary behavior and mandatory pre-departure training, our study revealed several important but concerning issues.

The migration process largely starts with the choice of an employment agency, and our findings show that OFWs often do not have complete autonomy when making their agency selection. Factors such as time, money, distance, and illegal practices (e.g., having their documents confiscated by the first agency visited) can impede OFWs from considering multiple options, or from choosing an employment agency based on his or her best interests. In our sample, 41.9% of OFWs reported that at least one of these factors had influenced their choices of employment agency. Our research shows that OFWs can also be restrained in their choice of other migration intermediaries.

By measuring the level of pressure experienced by OFWs, our study shows that high pressure is prevalent when OFWs choose their medical clinic (32%), training center (22.3%) or money provider (17.2%). By being able to charge fees or by setting the conditions of the loan, all three actors have a decisive influence on the risk of debt bondage faced by OFWs, and our results show that OFWs are not free to decide which one to use. Furthermore, as our research shows, employment agencies play a central role in referring OFWs to other migration intermediaries, placing themselves at the center of a network of connected migration service providers. This makes the initial choice of employment agency even more critical, given that this special position allows employment agencies to create silos of information that can ultimately have consequences on the risk of debt bondage OFWs face.

Indeed, even though placement fees are generally forbidden, training is often not legally required, and other intermediary services are regulated to protect OFWs, our data shows that a substantial proportion of OFWs are required to take on debt to pay for migration intermediary services. In fact, 31.5% of OFWs in our sample took on debt that was larger than their annual household income just to have the opportunity to work abroad. A substantial part of that debt is incurred by training fees and medical examination fees that exceed the legal limit set by the Department of Health, thus impeding OFWs' resilience during their migration process and increasing the risk for debt bondage.

Across the migration journey, OFWs are particularly misinformed about the policies and regulations that protect them from illegal practices, especially what they can be charged for by migration intermediaries during the pre-departure phase. For example, 85.3% of OFWs in our sample wrongly believed that undertaking training was a mandatory prerequisite to take the NC II examination. The large proportion of OFWs in our sample who undertook NC II training (65.3%), combined with the fact that training fees constitute a substantial percentage of total OFW debt, shows how this lack of knowledge can have concrete negative consequences on the risk of debt bondage faced by OFWs.

Finally, our study shed light on which actors spread information to OFWs, and whether that information is correct. It revealed that migration intermediaries are an important source of misinformation when it comes to information related to illegal practices and fees. Migration intermediaries - especially employment agencies - continue to be a source of information for OFWs throughout their whole migration, not only during the pre-departure phase. While, conversely, government agencies are an important source of accurate information, the low proportion (11.8%) of OFWs who responded correctly to the first **Migration Question**⁶⁶ asked in our survey shows that their reach is limited.

These findings show that critical information related to laws protecting OFWs from abuse do not reach them, showing the limits of a pre-departure training process where information about migration is highly concentrated in mandatory training provided by the Filipino government, and less accessible elsewhere. This becomes particularly problematic if OFWs do not attend the training: our findings show that the proportion of OFWs attending the non-mandatory and non-free NC II training (65.3%) was much more important than the proportion of OFWs who attended the Pre-Employment Orientation Seminar (PEOS, 15%); an online, free and mandatory seminar whose purpose is, among other, to inform OFWs about illegal recruitment practices. In that case, trusted, accurate, and widely available information as well as fact-checking mechanisms should become an essential part of the services provided to OFWs at all stages of their migration. This can be achieved by adopting a targeted and coherent communication strategy by Philippine government agencies and OFW-related NGOs. The media used should be the ones that OFWs are already using most, like Facebook, Youtube, Facebook Messenger, or Viber. The information made available should in priority be constituted of the content of mandatory and free pre-departure training and of critical information related to illegal recruitment practices and fees. This will not only increase chances that OFWs will access correct information, but also allow them to fact-check information given by migration intermediaries. Ultimately, it would diminish OFWs' current reliance on migration intermediaries for migration-related information and enable them to identify and report illegal recruitment practices.

While information online cannot constitute the sole pillar of an effective strategy to prevent human trafficking, the potential of digital tools should still be leveraged in order to complement existing and in-person prevention mechanisms: making information available online provides another source of verified information that can be accessed when circumstances warrant (including when confirming or challenging information from migration intermediaries). In that respect, the COVID-19 pandemic has been a critical factor in enabling and accelerating the development of new modes of communication between government agencies and OFWs. Examples include in-person Pre-Departure Orientation Seminars which were conducted online and could then be easily shared on Youtube; or the Viber page of the DoH, which was followed by more Filipinos than there are OFWs.67

This momentum should be harnessed in order to allow for the emergence of a new communication strategy between government agencies, the civil society, and OFWs. Creative and systematic ways of sharing information online should be explored and integrated with existing in-person support and training in order to diminish OFWs' reliance on migration intermediaries, the silos of information they create, and the risk of human trafficking it entails.

67 Source: Viber. Link

⁶⁶ Migration Questions and their answers can be found in Annex 1.

ANNEX 1 : MIGRATION QUESTIONS

In order to test the knowledge of the OFWs in our sample, we asked them questions related to legal and illegal practices during the migration process. These questions have been chosen for their implications on the risk of debt bondage it would represent in case they would not know the correct answer:

1. Can employment agencies legally require an OFW to use a specific training center at the OFW own expense?

Possible survey responses: Yes; No; I don't know.

Correct answer: No, it is forbidden by the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 (further referred as "Revised POEA Rules and Regulations of 2016"), Part II, Rule X, Section 76, t. If the OFWs is mandated to undergo training in a specific facility, then the "principal" (i.e. "the employer, or to a foreign placement agency or a foreign service contractor/staffing agency hiring Filipino workers for overseas employment [...]") should shoulder the cost of training.

Source:

POEA (2016). Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016. Link.

2. What, if any, is the maximum amount that can be charged by medical clinics for the fit-to-work certificate?

Possible survey responses: No limit; PHP1,500; PHP2,200; PHP5,800; PHP7,500; PHP10,000, I don't know.

Correct answer: At the time of writing, the limit set by the Department of Health for the Basic DoH PEME Package (Pre-Employment Medical Exam Package, commonly referred as "fit-to-work certificate") is PHP2,200. The basic DOH PEME package is applied to all applicants for overseas land and sea-based work. Section 13.a on page 4 details the minimum and maximum limit for the price of the medical examination.

<u>Source</u>: Department of Health (2013) *Basic DOH PEME Scheme for Overseas Work Applicants - Annex K.* p.4. Link.

3. Can employment agencies legally require an OFW to use a specific money provider?

Possible survey responses: Yes; No; I don't know.

Correct answer: No, it is forbidden by the Revised POEA Rules and Regulations of 2016, Part II, Rule X, Section 76, q.

Source: See question 1.

4. Is training required in order to be able to take the NC II examination and receive the NC II certificate?

Possible survey responses: Yes; No; I don't know.

Correct answer: No, training is not required in order to be able to take the mandatory NC II examination. Moreover, the NC II certificate is valid for five years, and OFWs should not be compelled to undergo training if they are in possession of a valid and adequate NC II certificate for the work they are

undertaking abroad. Finally, as stated in the response to question 1, if a specific training is required by the "principal", the latter is required to shoulder its cost.

<u>Source</u>: See question 1 and the following:

Mandap, D. (Nov. 2020). "POEA tells Phl recruiters, you cannot make OFWs pay for training". The Sun HK, Link. Accessed 23rd Sept. 2021.

5. Can employment agencies legally require an OFW to use a specific medical clinic at the OFW's own expense?

Possible survey responses: Yes; No; I don't know.

Correct answer: No, it is forbidden by the Revised POEA Rules and Regulations of 2016, Part II, Rule X, Section 76, s. As for training, if the OFW is required to undergo health examinations only from specifically designated medical clinics, institutions, entities or persons, then the "principal" should pay the cost.

Source: See question 1.

ANNEX 2 : QUESTIONNAIRE

Q#	Questionnaire Question	Instruc- tions	Questionnaire response	Conditions
Screening question 1	Have you ever been deployed as an OFW before?	Select one	No, never Not yet, but my VISA is approved; Yes, more than 5 years ago; Yes, less than 5 years ago; Yes, I am currently an OFW temporarily in the Philip- pines	If "No, never" or "Yes, more than 5 years ago", exit survey.
Screening question 2	Did you use the services of an employment agen- cy to secure your last job as an OFW?	Select one	Yes No	If "No", exit survey.
	Demographics			
1	What is your gender?	Select one	Male; Female	
2	How old are you?	Select one	18 - 24; 25 - 34; 35 - 44; 45 - 54; 54+	
3	What is your marital status?	Select one	Single; Married; Living with partner; Divorced; Widowed; Separated; Prefer not to say	
4	What is your household yearly income?	Select one	Less than PHP 15,000 PHP 15,000 - PHP 29,999 PHP 30,000 - PHP 44,999 PHP 45,000 - PHP 74,999 PHP 75,000 - PHP 124,999 PHP 125,000 - PHP 199,999 PHP 200,000 or more Prefer not to say	
5	What is your highest level of educational attainment?	Select one	No formal education Elementary school Junior high school Senior high school Trades or technical education Bachelor's degree Graduate degree or higher Prefer not to say	

6			ur most recent or current experience as an OFW. Pl ost recent experience with being an OFW.	ease answer the
7	Where was your most recent job as an OFW?	Select one	Canada China (PRC) Germany Hong Kong Israel Italy Japan Kuwait Malaysia Qatar Saudi Arabia Singapore South Korea Taiwan United Arab Emirates United States Other, specify Prefer not to say	
8	What was your most recent job as an OFW?	Select one	Agriculture and forestry; Fishing and passenger or cargo vessels; Manufacturing; Construction; Transportation and storage; Accommodation and food service activities; Administrative and support service activities; Information and communication; Financial and insurance activities; Domestic work; Wholesale and retail trade; Human health and social work activities; Other (please specify)	
	Employment Agencies			
9	How did you first dis- cover the employment agency that you used to secure your last job as an OFW?	Select one	Word of mouth, In Person Job Fair; Online Job Fair; Facebook; Youtube; OFW Online Fo <u>rum;</u> <u>WorkAbroad.ph</u> ; Government website/list; Posted fliers/Ads; Online advertisements; Other, specify	
10	Did any of the following people or organisations refer you to your employ- ment agency? (Select all that apply)	Select multiple	Current/former OFW; Family or friend that is not a current/former OFW; Agency staff; Recruiter/broker; Employer; PESO; POEA; DOLE; Other government agency; No one referred me; Other, specify	

11	What is the main rea- son(s) that you chose your employment agen- cy? (Select all that apply)	Select multiple	Price was fair; Agency had a good reputation; Agency provided an employer immediately; I needed a job urgently so selected the first agency I came across; I didn't have enough money to shop around agen- cies; Agency took my documents; I didn't know about any other agencies; Alternative agencies were too far away; Other, specify	
	Training Centers			
12	What was the total amount that you paid for training (for example, NC II; Enhancement/Phase II; Language)?	Select one	PHP 0 PHP 1 to PHP 10,000; PHP 10,001 to PHP 20,000; PHP 20,001 to PHP 30,000; PHP 30,001 to PHP 40,000; PHP 40,001 to PHP 50,000; PHP 50,001 to PHP 60,000; PHP 60,001 to PHP 70,000; PHP 60,001 to PHP 70,000; PHP 80,001 to PHP 90,000; PHP 90,001 to PHP 100,000; PHP 100,001 to PHP 150,000; PHP 150,001 or more (please specify), Prefer not to say	
13	Do you feel that you had the option or ability to choose which training center you paid for/ used?	Select one	 No, I had no choice; I was pressured to use this one; I wasn't presented with an alternative; I felt indifferent; I had limited options to chose from; I had several options to choose from; I had several options to choose from; I was entirely my decision 	
14	Who, if anyone, required or pressured you to use a particular training center?	Select multiple	Employment agency; Overseas employment agency; Lending company; Employer; Medical clinic; Existing/Former OFW; Family or friend that is not a current/former OFW; PESO staff; POEA staff; DOLE staff; Someone during the PDOS; Other government agency staff; No one required or pressured me to use a specific training center; Prefer not to say; Other, specify	
	Medical clinics			
15	What was the total amount that you paid for your fit-to-work certifi- cate ? (Select one)	Select one	PHP 0; PHP 1 to PHP 2,500; PHP 2,501 to PHP 5,000; PHP 5,001 to PHP 7,500; PHP 7,501 to PHP 10,000; 10,001 PHP or more (please specify); Prefer not to say	

16	Do you feel that you had the option or ability to choose which medical clinic you paid for/used?	Select one	 No, I had no choice; I was pressured to use this one; I wasn't presented with an alternative; I felt indifferent; I had limited options to choose from; I had several options to choose from; It was entirely my decision 	
17	Who, if anyone, required or pressured you to use a particular medical clinic?	Select multiple	Employment agency; Overseas Employment agency, Lending company; Training center, Employer, Existing/Former OFW; Family or friend that is not a current/former OFW; PESO staff; POEA staff; DOLE staff; Someone during the PDOS; Other government agency staff; No one required or pressured me to use a specific medical clinic; Other, specify	
	Money-Lenders			
18	In total, how much mon- ey did you borrow for working abroad (adminis- trative procedures, train- ing fees, medical fees, processing fees etc)?	Select one	I didn't borrow money; PHP 1 to PHP 10,000; PHP 10,001 to PHP 20,000; PHP 20,001 to PHP 30,000; PHP 30,001 to PHP 40,000; PHP 40,001 to PHP 40,000; PHP 50,001 to PHP 50,000; PHP 60,001 to PHP 70,000; PHP 70,001 to PHP 80,000; PHP 80,001 to PHP 90,000; PHP 90,001 to PHP 100,000; PHP 100,001 to PHP 150,000; PHP 150,001 or more (please specify), Prefer not to say	If "I didn't borrow money", then go to Q23
19	From whom or where did you borrow money?	Select multiple	Lending company (through a loan or salary deduc- tion); Family and friends; My employment agency (through a loan or salary deduction); My employer (through a loan or salary deduction); Bank (through a loan or salary deduction); Pawn Shop; Other; specify	
20	Do you feel that you had the option or ability to choose which money provider to borrow from?	Select one	 No, I had no choice; I was pressured to use this one; I wasn't presented with an alternative; I felt indifferent; I had limited options to chose from; I had several options to choose from; I twas entirely my decision 	

21	Who, if anyone, required or pressured you to use a particular money provider?	Select multiple	Employment agency; Training Centre; Employer; Overseas employment agency; Existing/Former OFW; Family or friend that is not a current/former OFW; PESO staff; POEA staff; Someone during the PDOS; Other government agency staff; No one required or pressured me to use a specific money provider; Other, specify	
22	How many days before your flight were you introduced or referred to your money provider?	Select one	0 to 3 days; 4 to 7 days; 8 to 11 days; 12 to 15 days; 16 to 30 days; More than 30 days	
	Conditions of the debt			
23	What percentage of your monthly salary is used to pay the debt incurred?	Select one	0, 1-10%; 11-20%; 21-30%; 31-40%; 41-50%; 51-60%; More than 61%; Prefer not to say	
24	How many months do you need to make payments to pay off the debt?	Select one	0 to 2 months; 3 to 5 months; 6 to 8 months; 9 to 11 months; 12 to 14 months; 15 to 17 months; More than 18 months (please specify)	
25	Did any of the follow- ing things happen to you when applying for the loan (Select all that apply):	Select multiple	Money provider required to sign blank checks; Money provider required to provide house; car; land as collateral; Employment agency required to sign a quitclaim/ waiver of rights to file a complaint; Money provider confiscated phones, personal docu- ments, or other property; Money provider threatened to get me fired if I missed payments; Money provider said I would go to jail if I did not pay. Money provider or employment agency required social media/email username and password. Agency coordinated with lending company. Employment agency made me sign a document stating that I didn't pay placement fees; Other; specify; None of the above; Prefer not to say;	
	Assessment of OFW Knowledge			
26	The following section rela		pines laws around OFWs. Please answer the following ge. If you are unsure, select "Don't know".	

27	Can employment agen- cies legally require an OFW to use a specific training center at the OFW own expense?	Select one	Yes; No; I don't know	lf "I don't know", go to Q29
28	From where or whom did you learn this?	Select multiple	Existing/Former OFW; Family or friend which is not a current or former OFW; Employment agency; Overseas employment agency; Training Centre; Lending company; POEA; DOLE; PESO; Other Government agency; PDOS; PEOS; Other, specify; I don't know;	
29	What, if any, is the max- imum amount that can be charged by medical clinics for the fit-to-work certificate?	Select one	No limit; PHP 1,500; PHP 2,200; PHP 5,800; PHP 7,500; PHP 10,000; I don't know	
30	Can employment agen- cies legally require an OFW to use a specific money provider?	Select one	Yes; No; I don't know	
31	Is training required in order to be able to take the NC II examination and receive the NC II certificate?	Select one	Yes; No; I don't know	
32	Can employment agen- cies legally require an OFW to use a specific medical clinic at the OFW's own expense?	Select one	Yes; No; I don't know	
33	If your knowledge of Phil- ippines OFW laws has improved since working overseas, where did you learn more? (Select all that apply)	Select multiple	Existing/Former OFW; Family or friend which is not a current or former OFW; Employment agency; Overseas employment agency; Training Centre; Money provider; POEA; DOLE; PESO; Other Government agency; PDOS; PEOS; Other, specify; My knowledge has not improved	

34	Which, if any, of the fol- lowing trainings did you attend in preparation for your overseas work?	Select multiple	NC II Training; Enhancement/Phase II Training; PDOS Training; Language Training; PEOS Training, Other, please specify; None of the above	If "None of the above", go to Q3
35	What topics were covered during the training(s) you attended before going overseas?	Select multiple	Immigration procedures; Employment contract; Cultural differences in the country of destination; Settlement concerns; Health and safety abroad; Money management; Travel-related information (travel regulations, tips and airport procedures); Government programs and services; Employment and social security concerns; Information about the life in the destination country; Rights and obligations of OFWs; Technical skills related to your work as an OFW; Language; Stress Management; How to achieve migration goals; Preparing families for long-term separation; How to find support/help abroad; Other, specify; None of the above	
36	Do you agree or disagree that the training(s) you attended before going overseas prepared you well for working as an OFW?	Select one	Strongly Agree; Agree; Neither agree nor disagree; Disagree Strongly disagree	
37	What useful information that you wish you had known before going overseas, that was not in- cluded in the training(s)?	Select multiple	Immigration procedures; Employment contract; Cultural differences in the country of destination; Settlement concerns; Health and safety abroad; Money management; Travel-related information (travel regulations, tips and airport procedures); Government programs and services; Employment and social security concerns; Information about the life in the destination country; Rights and obligations of OFWs; Technical skills related to your work as an OFW; Language; Stress Management; How to achieve migration goals; Preparing families for long-term separation; How to find support/help abroad; Other, specify; None of the above	



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