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Research Article

From Policy to Practice: The Roles of Philippine Government Agencies in Work-Related Compensation Claims of Filipino Seafarers

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ABSTRACT

Filipino seafarers play a vital role in the maritime industry; however, many still face challenges in accessing timely and equitable compensation for work-related illness, injury, or death incurred during employment. This study examined the roles of Philippine government agencies in addressing compensation claims, the procedural mechanisms they employ, and the reforms needed to strengthen the process under Republic Act No. 12021, the Magna Carta of Filipino Seafarers. This study employed an exploratory qualitative research design using a phenomenological approach. Data were gathered through in-depth interviews with 10 Filipino seafarers, two beneficiaries, and five key informants from the Department of Migrant Workers (DMW), Overseas Workers Welfare Administration (OWWA), Department of Labor and Employment/National Conciliation and Mediation Board (DOLE/NCMB), Maritime Industry Authority (MARINA), and Public Attorney's Office (PAO). Relevant laws, policies, and agency procedures were also reviewed. Data were analyzed using Braun and Clarke's (2006) thematic analysis framework. Findings revealed that while government agencies provide legal, welfare, administrative, regulatory, and dispute resolution support, the compensation claims system remains fragmented, procedurally complex, and burdensome for claimants. Implementation gaps persist despite RA 12021, highlighting the need for stronger inter-agency coordination, digitalized claims processing, enhanced legal and medical support, and improved information dissemination. The study concludes that while the government has established institutional mechanisms to protect seafarers' compensation rights, translating policy into claimant-centered practice requires significant reforms. These reforms are necessary to achieve a more accessible, transparent, and equitable compensation claims framework for Filipino seafarers.

Keywords: *compensation claims, filipino seafarers, philippine government agencies, seafarers and beneficiaries, work-related accident, work-related death, work-related illness*

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Introduction

In Filipino seafarers constitute one of the largest maritime labor forces in the world and play a vital role in sustaining global trade and the Philippine economy (MARINA, 2020). Despite the legal protections provided under the Maritime Labour Convention (MLC) 2006, RA 8042, RA 10022, RA 10706 and the recently enacted RA 12021 or the Magna Carta of Filipino Seafarers, many seafarers continue to experience difficulties in obtaining compensation for work-related illness, injury, disability, and death (ILO, 2024; Pia et al., 2024). Compensation claims often involve complex legal, medical, and administrative procedures that may be difficult for seafarers and their families to navigate.

Previous studies have highlighted persistent challenges in compensation claims processing, including procedural complexity, evidentiary requirements, fragmented institutional responsibilities, and limited awareness of available legal remedies (Amante, 2023; Acosta-Penero, 2024; Pia et al., 2024). Jurisprudence further demonstrates how procedural requirements may affect compensation outcomes despite the existence of work-related illness or injury. While recent reforms under Republic Act No. 12021 seek to strengthen seafarers' rights and improve dispute resolution mechanisms, limited research has examined how these protections are implemented in practice by Philippine government agencies (Izumi, 2025).

This study examines the roles of selected Philippine government agencies in addressing work-related compensation claims of Filipino seafarers and explores the procedural mechanisms employed under Republic Act No. 12021. This article reports the experiences of Filipino seafarers and beneficiaries, together with insights from government agencies, to identify implementation gaps and propose recommendations for strengthening the compensation claims system.

To provide a robust analytical lens, this study adopts two complementary theoretical foundations: the Interest Theory of Rights and the Human Rights-Based Approach (HRBA) PANEL Principles. The Interest Theory of Rights, developed by Raz (1986) and Lyons (1994), posits that rights exist to protect

individuals' fundamental interests, explaining why Filipino seafarers are entitled to compensation for work-related illness, injury, disability, or death. Meanwhile, the HRBA, operationalized through the PANEL principles of Participation, Accountability, Non-discrimination, Empowerment, and Law/Legality (Scottish Human Rights Commission, 2024), provides a framework for assessing how government agencies protect and implement these rights. Together, these theories offer a comprehensive framework for examining the roles of Philippine government agencies, the lived experiences of seafarers and their beneficiaries, and the procedural mechanisms established under Republic Act No. 12021.

Materials and Methods

Research Design

This study employed an exploratory qualitative research design using a phenomenological approach to examine the roles of Philippine government agencies in addressing work-related compensation claims of Filipino seafarers. The phenomenological approach was used to capture the lived experiences of seafarers and beneficiaries involved in compensation claims, while key informant interviews and document review were conducted to examine relevant laws, policies, and procedures. Data from interviews and documents were analyzed independently and integrated during interpretation to enhance credibility through triangulation (Bowen, 2009).

Participants and Sampling

The study involved a total of $N = 17$ participants, divided into two participant cohorts. The Claimant Cohort ($n_1 = 12$) consisted of ten Filipino seafarers and two beneficiaries whose demographic profiles are presented in Table 1. The Institutional Expert Cohort ($n_2 = 5$) comprised key informants from DMW, OWWA, DOLE/NCMB, MARINA, and PAO, whose profiles are presented in Table 2. Participants were selected through purposive and referral sampling based on their direct involvement in work-related compensation claims. Sample size was guided by the information power principle, which emphasizes information-rich participants rather than large sample sizes (Malterud et al., 2016).

Data Collection

Data were collected through semi-structured in-depth interviews and document review. Interviews were conducted through face-to-face meetings and online platforms, including Zoom, Google Meet, Microsoft Teams, and Messenger. Separate interview guides were developed for seafarers, beneficiaries, and government agency representatives. In addition, RA 12021, agency mandates, policies, and procedural documents were reviewed to identify the compensation claims mechanisms employed by government agencies.

Data Analysis

Interview data were analyzed using Braun and Clarke's (2006) six-phase thematic analysis framework: familiarization, coding, theme development, theme review, theme definition, and report writing. Documentary data were analyzed to identify agency roles, policies, and procedural mechanisms related to compensation claims. Findings from interviews and document analysis were triangulated to strengthen the validity and credibility of the results.

Result and Discussion

Demographic and Case Profile of Claimants

Table 1 presents the demographic profile of the claimants. The Claimant Cohort ($n_1 = 12$) consisted of ten Filipino seafarers and two beneficiaries. The participants represented diverse work-related compensation claim experiences involving occupational injuries, medical illnesses, psychological harm, disability, and death.

Among the 10 seafarer participants, three experienced work-related physical occupational injuries, including finger injuries, fingertip amputation, and shoulder injury requiring therapy, disability assessment, or medical intervention. The remaining seven experienced work-related illnesses, including diabetes, serious dental complications, abdominal illness, Bell's palsy, thyroid carcinoma, and psychological conditions linked to workplace harassment, emotional distress, prolonged stress, and mental health deterioration. Two participants were beneficiaries representing severely affected seafarers: one involving traumatic brain injury resulting in disability and ongoing legal proceedings, and another involving the death of a seafarer due to severe medical illness.

Table 1. Demographic Profile of the Claimants

Participant Code	Participant Type	Rank of Seafarer	Contract Status	Nature of Case	Medical Condition	Current Status
Participant 1	Seafarer	Engine Officer	Almost finish contract	Work-related accident	Finger Injury	On-going Therapy
Participant 2	Seafarer	Engine Rating	Unfinished contract	Work-related illness	Diabetes	Unfit for sea duty (total disability)
Participant 3	Seafarer	Deck Rating	Unfinished contract	Work-related illness	Serious Dental issues	Fit for Sea Duty
Participant 4	Seafarer	Deck Rating	Unfinished contract	Work-related accident / Illness	Shoulder Injury with Cyst	On-going Therapy
Participant 5	Seafarer	Deck Officer	Finished contract	Work-related illness	Upper Abdomen Pain	Fit for Sea Duty
Participant Code	Participant Type	Rank of Seafarer	Contract Status	Nature of Case	Medical Condition	Current Status

Participant 6	Seafarer	Deck Officer	Unfinished contract	Work-related illness	Mental Health due to Sexual Harassment	On-going medication and legal claim process
Participant 7	Seafarer	Engine Rating	Over-contract	Work-related illness	Bell's Palsy	Fit for Sea Duty
Participant 8	Beneficiary	Deck Rating	Unfinished contract	Work-related accident	Head Injury	With disability grading / On going Legal Claims
Participant 9	Beneficiary	Deck Rating	Unfinished contract	Work-related illness	Severe Liver complication	Deceased / Beneficiary received Death Benefits
Participant 10	Seafarer	Deck Rating	Unfinished contract	Work-related accident	Fingertip amputation	Partial Disability / Fit for sea duty
Participant 11	Seafarer	Deck Rating	Unfinished contract	Work-related illness	Psychological distress	On going medication
Participant 12	Seafarer	Engine Rating	Finished Contract	Work-related illness	Thyroid Carcinoma	Partial Disability / Fit for Sea Duty

Most participants experienced illness, injury, or death during unfinished contracts, while others had nearly completed their contracts, had already completed them, were over contract, or had exceeded their original contract duration at the time of the incident. Some were declared fit to work after medical recovery, and some have ongoing medication and therapy. The participants' varied medical, occupational, and legal circumstances provided rich empirical data for understanding the lived realities of compensation claims processing among Filipino seafarers and their beneficiaries.

Navigating Delayed and Fragmented Access to Immediate Support

One of the most significant lived experiences shared by the participants involved difficulty accessing timely and coordinated support after the said work-related incidents. Participants described delays in medical response, unclear repatriation arrangements, fragmented communication, uncertainty regarding next steps, and dependency on third parties to activate assistance.

For injured or medically repatriated seafarers, the immediate aftermath of illness or injury was often marked by uncertainty rather than structured support. Participant 1

encountered a work-related finger injury during dry-dock operation in China. His contact was almost finished when the accident happened, and he was initially checked by a Chinese doctor. However, despite the medical assistance he received, he described his experience upon arrival in the Philippines, expecting coordinated company assistance but instead experiencing confusion and delay. He said: *"When I arrived in the Philippines, no one was there to meet me. I waited there, not really knowing what to do"*. This narrative reflects a disruption in continuity of support, where repatriation may have been arranged but execution remained inconsistent.

Similarly, Participant 2 had been repatriated with an unfinished contract due to too much vomiting and being unable to walk. During his initial medical treatment in China, the doctor gave him a diagnosis of extremely high blood sugar. When he arrived in the Philippines, he continued his medication, but after 120 days, the treatment was stopped, even though he was not fully recovered. He shared, *"My treatment was stopped because the company-designated doctor declared me unfit to work"*. This experience demonstrated uncertainty during the transition from shipboard illness to medical claims processing. While medical assistance was initiated, the continuation of support became dependent on procedural developments rather than immediate welfare needs, contributing to uncertainty regarding treatment and recovery.

Participant 3 likewise experienced delayed and uncertain immediate medical intervention while onboard, encountering serious dental issues with his wisdom tooth. After an unsuccessful dental procedure in Japan, he narrated, *"Since the vessel was scheduled to depart, I was given antibiotics and pain relievers and sent back to the ship"*. He further described the deterioration of his condition on board: *"One night I woke up choking on blood. At that point, I knew I could no longer continue. So, I requested to be repatriated"*. This suggests that immediate medical decisions may be influenced not only by healthcare needs but also by operational demands.

Participant 4 experienced a delay in medical response after sustaining an onboard shoulder injury caused by a senior officer

during maintenance work. Rather than immediately reporting the incident to the captain, he relied on supervisory action that never occurred. He explained, *"Chief Officer told me to apply ointment on my shoulder. He also said that he would inform the Captain. However, the Captain told me that C/O had never informed him about my condition"*. When he reported to the company with an unfinished contract, they initially wanted him to use the HMO, but because of his persistence, the company endorsed him to the company-designated doctor, and he currently has an ongoing therapy. This demonstrates how delayed reporting, supervisory inaction, and company decisions may interrupt timely access to formal medical assistance.

Participant 5 reported that during his contract, he encountered discomfort in the upper abdomen. After finishing his contract, he reported to the manning agency following the 72-hour-rule to ask for post-medical treatment. He shared that *"Upon returning home, I reported to the office within 72 hours and asked for a post-medical check-up"*. He also described prolonged delays in approval of medical procedures. *"The medication was taking a long time"*.

Participant 6's case presented a different but equally important dimension of delayed support, particularly concerning psychological harm. He encountered mental health issues due to sexual harassment caused by a foreign superior, which resulted in his self-confinement in his cabin for almost 2 weeks because he was scared and had been traumatized. He reported the case to the company. He shared, *"I reported to the DPA, to the main company, and the ship management, but they deprived me of my rights because they wanted to avoid all liability. To protect myself, I confined myself inside my cabin for almost 2 weeks until I was repatriated."* This statement is significant because it suggests that psychological injury or mental issues may not always be formally recognized within traditional notions of work-related medical harm, potentially affecting access to immediate protective mechanisms.

Participant 7 similarly experienced work-related illness while onboard, requiring eventual repatriation. He had Bell's Palsy due to stress, fatigue, and poor mental health because of his work and overwork. His condition was

aggravated because his superior still told him to work despite having a continuous tear in his left eye. He shared that *"My senior officers did not take immediate action. I continued working for three days. When my condition became serious, they allowed me to rest for four days, then work again. I asked for repatriation in Cape Town, but the charterer said 'no'. I still had to endure the pain for around one and a half months until I was repatriated"*. This suggests how delayed supervisory inaction and the dependency on company-controlled systems, where support followed institutional procedures rather than participant-driven autonomy.

The most severe illustration of delayed immediate support emerged from Participant 8, a beneficiary, whose brother suffered a traumatic brain injury while working on board. His foreign superior didn't report his condition and even tried to hide it from authorities. According to her, *"The company had no intention of helping my brother.....After the interview of DMW to the doctor, they told us that if my brother had been brought in just a little later, he probably would not have survived."* Her narrative reveals prolonged delay in emergency intervention, despite visible symptoms of neurological injury.

Participant 10 encountered a fingertip amputation sustained while doing deck maintenance work. He continued sailing until they finally arrived in China after 2 days; his fingertip wasn't restored because it decayed. *"The doctor said it could not be reattached because it had already decayed. Since it took two days, it could no longer be reattached"*. Afterward, he continued his medication in the Philippines and was later declared fit to work, and is now waiting for his employment. His narrative reveals that despite the severity of his condition, medical assistance is not always available because of dependency on the vessel arrival schedule in port.

Participant 11 similarly experienced delayed intervention despite severe psychological deterioration while onboard. He experienced bullying from his foreign superior, which resulted in anxiety and depression. He described emotional abuse, insomnia, panic attacks, and suicidal ideation prior to repatriation. As instructed by the teleconsultant

doctor, he was repatriated with an unfinished contract. Despite the severity of his condition, disembarkation was not immediate, prolonging his distress. He stressed that *"I was stressed because of my work and because of a Japanese officer. I became stressed because I chose not to confront him and instead just allowed him to bully me, even though I was already suffering because of it.....There were times when I only slept for two to three hours within a 24-hour period. Because of that, I started experiencing palpitations and heartburn. I also developed symptoms of GERD (Gastroesophageal Reflux Disease), which trigger my panic attacks. It eventually reached the point where I became suicidal. There were two occasions when I attempted to jump off the ship. So, I decided to request repatriation even though my contract had not yet ended."*

These experiences align with Amante (2023), who argued that compensation-related processes often begin within stressful, fragmented, and procedurally difficult systems where seafarers face uncertainty in navigating institutional mechanisms. Collectively, the participants' narratives further suggest a breakdown in the continuity of care during the transition from ship to shore, where immediate medical needs may become secondary to procedural and operational considerations. Delays in medical intervention, repatriation, and access to post-employment treatment indicate that commercial and operational priorities—such as vessel schedules, cargo operations, and minimizing port-related delays—may, in some instances, take precedence over the immediate health requirements of seafarers. As illustrated by Participants 3, 7, and 10, decisions regarding medical referral and repatriation were influenced not only by clinical necessity but also by the vessel's operational demands and port availability. While such operational realities are inherent in the shipping industry, they should not compromise the timely provision of medical care and protection for seafarers.

From an international labor rights perspective, these experiences appear inconsistent with the protective intent of the Maritime Labour Convention, 2006, which requires shipowners to ensure prompt access to medical care, appropriate repatriation, and

continuity of treatment for seafarers who suffer illness or injury during employment. Rather than suggesting isolated procedural lapses, the findings indicate a structural gap between the protections guaranteed under international maritime labor standards and the lived realities experienced by several participants. Viewed through the Human Rights-Based Approach (PANEL framework), these narratives particularly raise concerns regarding the principle of **Accountability**, as institutions and responsible parties did not consistently ensure the timely and effective realization of seafarers' rights to health, medical assistance, and welfare. Phenomenologically, the immediate aftermath of maritime illness, injury, or psychological harm was experienced not as a predictable continuum of care, but as a period of uncertainty, confusion, and vulnerability.

Enduring Bureaucratic Burden in Compensation Claims Processing

Participants consistently described the process as repetitive, document-heavy, procedurally exhausting, and emotionally draining. The compensation process was not experienced merely as a legal entitlement mechanism, but as a bureaucratic experience requiring repeated compliance with administrative demands.

Participant 9, a beneficiary, encountered challenges in processing all the documents of his father's death. Despite being a student, he fulfilled his duty as family representative. According to the medical report, his father had a severe liver complication, and the company helped them in everything. Also, he reported that help was initiated by some of the government agencies, but he described the repetitive nature of documentary requirements: *"They would tell me, 'You need a photocopy.' Then when I returned with the photocopy, they would say, 'You should also bring the original copy.'"* This highlights how administrative repetition can prolong already stressful bereavement-related processes.

Participant 10 shared, *"The waiting time to get the required documents for OWWA would have taken about two weeks. At that point, I already had a scheduled flight to go home, so I wasn't able to wait"*. His narrative revealed

limited procedural familiarity, making claims processing more confusing and difficult to navigate. His experience supports the observation that administrative systems can become more burdensome when claimants lack procedural literacy.

Participant 4 similarly expressed frustration regarding the burden placed on claimants: *"Why do we still need to secure documents that should already be with the company?"* This reflects participants' perception that institutional inefficiencies transferred administrative responsibility to already vulnerable claimants. He also described repeated follow-ups with the employer just to secure documentary co-operation.

Participant 1 also described repeated follow-ups and administrative delays that complicated access to benefits. *"I had to submit documents multiple times before my sickness benefits were finally approved"*. He added that the manning agency usually holds all the documents, which causes a delay in compensation benefits if they are not submitted. *"They kept asking for additional requirements. Once the manning agency provided the documents, I would submit them back. If those were still not sufficient, then the cycle would repeat all over again with more requirements"*.

Participant 3 likewise encountered institutional processes requiring navigation through formal documentation and compliance steps that were not always straightforward. *"For OWWA, I also tried to process my claim. I brought my requirements, but they rejected them because they said applications should be filed in the regional office. I sent emails to the regional office, but I never received any response"*.

Participant 5's experience similarly reflected procedural uncertainty, where progress in claims became closely tied to understanding documentation and procedural expectations. *"The delay in the approval of medical procedures is really a challenge. When the clinic requested it, the approval from the manning agency took a long time"*. This demonstrates how administrative dependency prolonged the claims process.

Participant 7 also highlighted the burden of procedural timelines during illness recovery: *"Physically and mentally, not everyone is in a*

position to process requirements immediately.” He also shared that his claims would be denied if they were not done immediately. He added, *“Therefore, it defeats the purpose of providing support.”*

These findings strongly align with Amante (2023), who characterized maritime compensation claims as lengthy, stressful, and procedurally difficult for both seafarers and employers. Similarly, Pia et al. (2024) argued that the procedural complexity of compensation systems disadvantages Filipino seafarers because they often lack access to institutional knowledge, documentation, and legal guidance necessary to effectively assert their claims.

Beyond procedural complexity, the participants' narratives reveal a structural asymmetry in access to information and documentation. Manning agencies commonly retain custody of employment contracts, medical reports, accident records, repatriation documents, and other records required to support compensation claims. Nevertheless, recovering seafarers and beneficiaries often remain responsible for repeatedly requesting, securing, and submitting these same documents to multiple institutions. As reflected in the experiences of Participants 1, 3, 4, and 10, claimants became intermediaries in transferring information between organizations despite having limited control over the official records needed to process their claims. Rather than benefiting from coordinated institutional information-sharing, participants experienced repetitive documentary requirements that prolonged claims processing and added unnecessary physical, emotional, and financial burdens during recovery. These findings suggest the need for stronger inter-agency coordination and secure digital information-sharing mechanisms to reduce documentary duplication and improve the accessibility and efficiency of compensation claims processing.

From the perspective of the Interest Theory of Rights, this theme presents a critical contradiction. Rights intended to protect seafarers' welfare and financial security become practically difficult to access when procedural barriers dominate the claims process. Viewed through the Human Rights-Based Approach (PANEL framework), these experiences also raise concerns regarding the principles of

Accountability and Empowerment. While government institutions formally recognize compensation rights, participants' experiences suggest that the burden of navigating fragmented administrative procedures and securing essential documentation is often transferred to claimants themselves, limiting their ability to effectively exercise those rights. Phenomenologically, bureaucracy was not experienced as a neutral administrative structure but as an extension of suffering itself. For participants already dealing with injury, grief, disability, or financial instability, administrative complexity became part of the lived burden of compensation claims.

Bearing the Human Cost of Compensation Delays

Beyond procedural complexity, participants consistently revealed that compensation claims processing carried significant emotional, financial, psychological, and social consequences. The claims process was not merely an administrative or legal exercise; rather, it became a deeply human experience that affected well-being, family stability, livelihood, and future life opportunities. For many participants, delayed compensation created financial strain at a time when income had already been disrupted due to illness, injury, disability, or death.

Participant 12 similarly described the emotional and financial strain of dealing with a serious medical diagnosis while onboard the vessel. He experienced hematemesis; the first medication was being carried out in Colombia, where the doctor initially found a thyroid nodule. He continued sailing and was again checked in Panama, where the doctor said he needed an operation, but he refused because his wife was pregnant and he wanted to continue his contract. *“At that time, my wife was pregnant, so I told the doctor I wanted to continue my contract before I underwent surgery”.* When he disembarked with a finished contract, he reported immediately to his manning agency, following the 72-hour rule. The company-designated doctor declared his condition as non-work-related thyroid carcinoma, and his operation and medication continued for more than 240 days. He even negotiated for his compensation with the company; he shared, *“I*

told them, 'Sir, maybe you can increase it a little because I won't be able to sail right away; I had a family to support.'" He explained that medical uncertainty, legal decisions, and family responsibilities compounded the stress of the claims process.

Participant 1 explained that although reimbursement mechanisms existed, immediate expenses often had to be shouldered personally: *"I was told that reimbursements would take around two to three months"*. Participant 4 similarly described the difficulty of sustaining daily financial needs while waiting for procedural outcomes, demonstrating how delays can compound hardship. *"I was the one spending the money first; then reimbursement took around 40 days. I have already been unemployed and still have not been able to send money to my family"*. This reveals how even when compensation pathways formally exist, the timing of access can create financial burdens that disadvantage claimants.

Participant 2's experience illustrates another dimension of this burden. Following his medical case, uncertainty regarding claims progression affected his treatment continuity, future employability, and financial security. The interruption of income due to health-related incapacity transformed compensation from a legal concern into a livelihood concern. His medication stopped after the 120-day period rule, where he said: *"At that time, my treatment should have continued, but it was completely stopped"*. The worst case was that he was declared unfit for sea duty, not due to a work-related illness. That's why he decided to ask for assistance from a private law firm. *"I decided to go through a law firm. Now that I've received compensation, I plan to resume consultations with a doctor"*.

Participant 3 likewise experienced uncertainty regarding his future after health-related disruption, where claims processing became tied to broader concerns regarding employment continuity and recovery. *"I wasn't able to receive my compensation benefits from OWWA even after several tries because I really need to go back on board again"*.

Participant 5's experience further reinforces this theme, as delays in treatment and claims processing created uncertainty regarding both recovery and livelihood stability. He

expressed concern about the impact on his future employment: *"As seafarers, if treatment takes too long, you also worry because you don't know when you'll be fit again and when you can return to work"*. This made him decide to work again without finishing his medical treatment. This demonstrates how compensation-related delays extend beyond administrative inconvenience and directly affect psychological well-being and employment security.

Participant 10 also experienced financial hardship while awaiting compensation, which forced him to seek financial assistance to support his family's daily needs. He narrated, *"So we had to take out a small loan just to sustain our day-to-day expenses"*. This illustrates how delays in compensation processing may push claimants into financial vulnerability, forcing them to rely on debt to survive.

Participant 7 also experienced financial stress: *"The financial aspect is the challenge because you're supporting your family. You don't get to spend quality time with them because your time is focused on therapy. So, everything connects back to the financial pressure—it drives the emotional stress and limits your social life"*. This suggests that social, financial, and emotional stress were deeply interconnected.

Participant 6's case revealed particularly intense emotional and psychological consequences. His claims experience involved not only procedural difficulty but emotional distress arising from workplace sexual harassment allegations and prolonged dispute resolution processes. He stated: *"Emotionally and psychologically, the burden has been overwhelming."* This reflects how compensation disputes involving workplace trauma may extend far beyond monetary concerns and significantly affect psychological well-being. Additionally, since the nature of seafarers' work is contractual, there are no means of generating money once unemployed; therefore, Participant 6 stated that *"The situation has also been difficult. If I were fit to work, I could continue earning income."* Furthermore, he stated, *"The company also attempted to stop my sickness allowance after 120 days under the CBA."*

Participant 11's case revealed severe emotional, psychological, and occupational consequences arising from prolonged workplace

stress, emotional abuse, and mental health deterioration. He shared that *"I need one full year of treatment with medication, and then another year medication-free before I can receive clearance to work again. So perhaps I will try to find a land-based job instead."* His experience extended beyond compensation concerns into broader questions of survival, emotional recovery, and career disruption. His inability to immediately resume work significantly affected his livelihood and future stability.

Participant 9 described the emotional burden of processing his father's death claims while managing academic obligations: *"It felt like two different worlds had collided. Whenever I had free time, I would immediately use it to process documents"*. This statement captures the lived complexity of simultaneously carrying grief, legal responsibilities, and personal life demands.

Beneficiary Participant 8 similarly described the long-term consequences of her brother's injury—not merely the immediate survival crisis, but the reality that his condition permanently altered his life: *"He now has memory problems, possible seizures, and he may no longer be able to return to sea"*. This illustrates that compensation claims are not isolated events but part of larger life disruptions affecting the injured seafarer and the family's future. She also described the premature disability grading, which put them in the situation to look for a third-party doctor. *"They stopped the medical responsibilities on the 110th day, even though my brother was still not fully healed; they released a disability grading."*

These findings strongly align with Brito (2025), who emphasized that serious maritime health conditions often prematurely end seafarers' careers, significantly affecting their capacity to support family members. The findings also support Villa et al. (2024), whose research found that illness repatriation significantly affects not only physical health but also family relationships, finances, employment continuity, and long-term quality of life. Similarly, Tang et al. (2022) and Pauksztat et al. (2022) emphasized how prolonged uncertainty, occupational disruption, and instability contribute to psychological distress among seafarers. These findings also resonate with Carrera-Arce et al. (2025), who identified

anxiety, depression, and psychological strain as significant concerns among maritime workers exposed to prolonged uncertainty and occupational stress.

Viewed through the Human Rights-Based Approach (PANEL framework), this theme primarily raises concerns regarding the principles of Accountability and Empowerment. Although compensation rights are legally recognized, participants' experiences suggest that delays in accessing medical treatment, reimbursement, disability benefits, and financial assistance weakened the effective realization of those rights. Rather than enabling claimants to recover with dignity, prolonged compensation processes often intensified financial hardship, emotional distress, and livelihood insecurity, limiting their capacity to exercise and benefit from the protections guaranteed under the law. From the Interest Theory of Rights, this is particularly important because compensation exists precisely to protect the financial and welfare interests of seafarers and their beneficiaries. When access is delayed, the practical realization of those interests is weakened. Phenomenologically, compensation claims were experienced not simply as bureaucratic processes, but as emotionally and materially disruptive life events.

Families as Active Navigators of the Compensation Process

Family members and beneficiaries played an active role in navigating compensation claims. Rather than functioning merely as passive recipients of benefits, beneficiaries frequently assumed roles as coordinators, advocates, decision-makers, caregivers, document processors, and institutional navigators. Participant 8 provides the strongest example of this phenomenon. Following her brother's traumatic brain injury, she became the primary actor managing his case. She explained, *"I handle everything: decision-making, communication with the lawyer, and our family."* She further stated, *"I was the one who contacted the embassy. I also contacted the US Coast Guard."* These statements demonstrate that the claims process often required family intervention far beyond emotional support.

Participant 9 similarly assumed responsibility following his father's death. Although

still a student, he became directly involved in processing claims, securing documents, coordinating with agencies, and fulfilling legal requirements such as guardianship documentation. He stated: *"I did experience a lot of stress from my academic responsibilities and the responsibility of processing my father's claims"*. His experience reveals that even younger beneficiaries may become active institutional navigators when compensation systems require extensive participation.

Participant 12's case also reflects family involvement in compensation-related decision-making. Faced with serious medical uncertainty and potential legal action, he explained that he consulted his entire family before making important decisions regarding his claims and future medical pathway. As he shared, *"During the decision-making process, I really sought advice from my family, especially my father and mother, because I wanted to know what they thought would be best for me"*. This suggests that compensation-related decisions, particularly those involving medical disputes and legal uncertainty, may extend beyond the individual claimant and become shared family deliberations shaped by collective concern, emotional support, and practical considerations.

Other participants also indirectly reflected family involvement through emotional support, assistance with paperwork, transportation, and financial survival during claims processing. According to Participant 1, *"They naturally became worried. They kept asking why the process was taking so long, when I would be able to come home, and what was happening with my recovery"*. Additionally, Participant 4 shared that *"The only support I really received from my family was emotional support. They kept encouraging me, telling me to stay strong and that things would eventually be okay"*.

This theme aligns strongly with Brito (2025), who emphasized that maritime illness, injury, and disability affect not only the seafarer but also dependent family members whose welfare relies on maritime employment. The findings also support Villa et al. (2024), whose research highlighted the effects of illness repatriation on family relationships, finances, and caregiving responsibilities. Although this related literature does not explicitly

adopt formal caregiving theory, these findings strongly reflect caregiving burden concepts, where families assume significant responsibilities when institutional systems do not fully absorb claimant support needs.

From the Interest Theory of Rights, this theme is highly relevant because compensation rights protect not only seafarers but also beneficiaries whose interests are directly affected by work-related illness, disability, or death. Viewed through the Human Rights-Based Approach (PANEL framework), this theme primarily reflects the principles of Participation and Empowerment. Rather than functioning as passive beneficiaries, family members became active participants in navigating compensation claims by coordinating with institutions, processing documentation, communicating with legal representatives, and making important medical and financial decisions on behalf of injured or deceased seafarers. At the same time, these experiences suggest that families often became empowered out of necessity, assuming advocacy and coordination roles when institutional support alone was insufficient to navigate the compensation process effectively. These findings also raise broader questions regarding **Accountability**, as responsibilities that might otherwise be expected of coordinated institutional systems were frequently transferred to families during periods of crisis. Phenomenologically, compensation claims were experienced as shared family journeys rather than purely individual legal processes.

Experiencing Unequal Access to Compensation Support

The fifth major theme underscores the unevenness of participants' experiences in accessing compensation support from the government. While all participants operated within broadly similar legal and institutional frameworks, their actual experiences varied considerably depending on company responsiveness, case type, access to support systems, legal literacy, and government agencies' engagement.

Some participants reported relatively positive experiences with certain forms of assistance. Participant 9 viewed OWWA positively: *"OWWA was the most effective."* He described

receiving death-related support, scholarship assistance, and financial aid; he added that *"For OWWA, I spent around three to four months just to receive some of the claims"*. He even described PAO as very helpful: *"PAO helped us secure the petition for guardianship so that we can receive our claims from the manning agency."* For the DMW regional office, he stated that *"The DMW is quite helpful during the initial stages of the process"*.

Similarly, Participant 2 reported positive assistance from government support mechanisms, particularly through OWWA and other available benefits. He shared, *"OWWA was able to help me with financial assistance, and that was a big help while I was still recovering. Without that support, it would have been harder because I was already unable to work"*. He also received assistance from the local government unit (LGU) and the provincial government. *"From my experience with government agencies, they did not fall short in providing assistance. When I approached them, they were willing to help"*. This indicates how institutional support can meaningfully ease claimant burden when timely and accessible.

Participant 8 also acknowledged meaningful assistance from DMW in certain aspects of her brother's case. She explained, *"DMW really helped because they pressured the company to act."* She further shared, *"DMW provided AKSYON Fund while OWWA provided compensation benefits."* These experiences demonstrate that institutional intervention can provide immediate relief when agencies actively engage.

However, these positive experiences contrasted sharply with those of participants who encountered significant institutional barriers. Participant 3's attempt to access OWWA assistance was disrupted by procedural redirection to a regional office, followed by repeated non-response to his emails, ultimately preventing completion of the process before his return to sea duty: *"I sent about two to three emails, but I never received a response"*. Participant 10 similarly missed the opportunity to pursue assistance because he was unaware that support could be accessed through regional offices after returning to his province. *"I really wanted to go home since I had already been in Manila for quite a long time"*. These experiences

suggest that access to compensation support may depend heavily on procedural awareness, institutional responsiveness, and geographic accessibility

Employer cooperation also significantly influenced claimants' access to support. Participant 1 reported that aspects of his claims experience were adequately explained, suggesting that some participants benefited from clearer guidance. *"The manning agency told me that I would continue receiving my basic salary for up to 120 days. They also explained the government benefits available, specifically SSS and OWWA"*. However, Participant 4 shared that *"The company never informed me about the documents I would need. If I had not constantly followed up regarding my sickness allowance, they would not have provided anything"*. During his attempt to process government compensation claims, he was unable to proceed because the company allegedly refused to provide the necessary supporting documents. As he explained, *"You have to keep sending messages, constantly following up, only to be told that the company has not yet approved the expenses"*. The challenge became even more significant when his injury was not formally recognized as work-related by government agencies despite occurring on board.

Similarly, Participant 5's experience is that access to compensation can depend heavily on one's ability to understand procedural expectations and persist through uncertainty. He shared, *"The office approved my case and referred me to the claims department for medical evaluation and treatment"*. He also mentioned that the manning agency informed him of the compensation benefits available through government agencies. However, he chose not to pursue these claims, explaining, *"I did not process any assistance from government agencies because I could not provide my medical certificate because my treatment was not completed"*. Instead, he transferred to another manning agency, where he was eventually declared fit for work. This suggests that although compensation support may be formally available and communicated to claimants, actual access may remain uneven when employer-controlled documentation, procedural requirements, personal circumstances, and employment

decisions influence whether available assistance is pursued.

Other participants argue that while support mechanisms formally exist, actual access may depend on the claimant's physical condition and procedural capacity. According to Participant 7, he experienced assistance through available mechanisms, like OWWA, although he recognized that access to support was not always equally manageable for all claimants. He explained: *"For me, I was able to process it, but not everyone is capable of completing the requirements immediately, especially if they are still recovering."* He further emphasized: *"Some seafarers might lose their chance because they cannot comply within the required period."*

Other participants experienced structural barriers within dispute-resolution mechanisms themselves. Participant 6 described repetitive legal proceedings under NCMB-DOLE and NLRC-DOLE: *"It felt like having the same discussions repeatedly"*. He further said: *"The NCMB mediation has already consumed 30 days, and there is another mandatory conference period that can last another 30 days in the NLRC. That means around 60 days"*. He further explained that he was initially filing the case outside his province, but upon knowing the transfer process would take time, he didn't proceed. *"I was informed that transferring the case could take an indefinite amount of time. That means once you choose where to file your case, transferring it elsewhere becomes a very lengthy and difficult process."* This suggests perceptions of procedural duplication rather than efficient resolution.

Participant 8 similarly highlighted implementation challenges under RA 12021 involving the certified DOH third-party doctor mechanism under the current compensation framework. She shared that *"We were given a memorandum stating that we may need to revert to the old process. So even there is a Magna Carta, because the DMW cannot provide the required pool of third-party doctors, we are being forced to return to the old process instead."* She added, *"Imagine that: the family is already carrying emotional, financial, and caregiving burdens, and now we are also expected to find the third-party doctor ourselves."* This highlights structural implementation challenges that can disproportionately affect certain claimants. She

further emphasized that there is a memo to revert to the old process: *"The process exists in theory, but in practice, where do we actually find that doctor?"* This illustrates how formal compensation mechanisms may exist but remain difficult to operationalize in practice.

Participant 12 similarly highlighted financial barriers in pursuing compensation claims. He explained that legal representation would require a percentage of any compensation award, while obtaining a second-doctor opinion would involve substantial upfront costs. As he shared, *"The lawyer told me they would get 20% of whatever compensation I receive. For the second doctor, I was told it could cost around ₱50,000."* Given his serious illness, family responsibilities, and disrupted employment, these costs made available remedies difficult to pursue. His experience suggests that while formal dispute-resolution mechanisms exist, access to compensation may remain unequal when claimants lack the financial resources to utilize them.

These experiences may increase claimant vulnerability to financially burdensome legal actors such as ambulance-chasing practices when formal compensation processes are perceived as inaccessible or burdensome, consistent with the observations of Acosta-Penero (2024) regarding structural vulnerabilities in maritime compensation disputes. These findings strongly align with those of Pia et al. (2024), who emphasized institutional fragmentation and confusion regarding which agencies provide compensation-related assistance. Similarly, Amante (2023) described compensation claims systems as procedurally inconsistent and often dependent on institutional interpretation and implementation.

Viewed through the Human Rights-Based Approach (PANEL framework), this theme primarily raises concerns regarding the principles of Non-discrimination, Accountability, and Empowerment. Although participants were protected by the same legal and institutional framework, their ability to access compensation varied substantially depending on employer cooperation, procedural knowledge, institutional responsiveness, financial resources, and personal circumstances. These findings suggest that the realization of compensation rights was not experienced equally

in practice, as claimants with greater procedural capacity and institutional support were better positioned to obtain available assistance than those facing documentary, financial, or geographic barriers. Furthermore, implementation challenges—such as inconsistent institutional responses and difficulties operationalizing mechanisms under Republic Act No. 12021, including access to accredited third-party doctors—raise broader concerns regarding institutional accountability in ensuring that statutory protections are realized consistently across cases. Empowerment is likewise implicated, as participants' ability to exercise their rights often depended on their knowledge, resources, and capacity to navigate complex compensation procedures while recovering from illness or injury.

Phenomenologically, compensation systems were not experienced uniformly. Instead, participants encountered differing realities depending on their circumstances, institutional encounters, and available support networks. From the perspective of the Interest Theory of Rights, unequal access to compensation undermines the very interests that compensation rights are intended to protect, including financial security, health, livelihood, and family welfare. When access to these protections depends on procedural capacity rather than entitlement, the practical enjoyment of rights becomes uneven despite their formal legal recognition.

Contesting the Recognition of Work-Related Illness in Compensation Claims

A major theme that emerged from the participants' narratives involved disputes over whether illnesses were recognized as work-related for compensation purposes. Unlike visible physical injuries, several participants experienced illnesses, mental health conditions, or chronic medical conditions whose work-relatedness became contested, uncertain, or narrowly interpreted. This theme is particularly significant because recognition of work-relatedness directly determines eligibility for compensation, medical support, disability benefits, and legal remedies.

Participant 2 experienced this challenge following his diabetes-related illness. Despite becoming medically unfit for sea duty, the

condition was not clearly accepted as work-related, limiting the scope of compensation protection. That's why he proceeded with legal claims against his company in NCMB. He shared that *"The company-designated doctor assessed my diabetes as a non-work-related illness and even declared me permanently unfit for sea service. During that period, I was advised by another person to pursue a disability compensation claim"*. This transformed a medical crisis into a compensability dispute.

Participant 6's case similarly demonstrates contested recognition involving psychological harm. His experience arose from workplace sexual harassment, emotional distress, and psychological deterioration. Yet his repatriation was not framed as a medical necessity. He shared, *"The company stated that I was not being sent home because of a medical condition."* Moreover, upon repatriation, he immediately reported to the manning agency and consulted a doctor for his mental health condition. His case was done in NCMB and further raised in NLRC. This suggests that psychological injuries may be excluded from conventional interpretations of compensable work-related illness, which could lead to legal claims disputes.

Participant 7 experienced a similar challenge involving Bell's palsy, although he experienced significant health disruption, institutional interpretations reportedly treated his condition differently from clear physical injuries. He shared that although he received support from OWWA, he stated that the work-related criteria were the reason why he didn't receive his rightful claim benefits. He explained, *"Their reasoning was that work-related only applies to clear physical injuries. My illness was not on their list"*. He further stated, *"That's where the gap is. The definition of work-related is too narrow. Since it was classified as non-work-related, the assistance was minimal"*. This demonstrates how definitional limitations may exclude medically significant but less visible occupational illnesses.

Participant 4, on the other hand, had a work-related accident, but due to delayed medical assistance, it resulted in a cyst on his shoulder. When he tried to claim his benefits from government agencies, it wasn't considered work-related. He shared, *"But the issue is really that it wasn't considered work-related,*

even though it happened on board. So even if I received something, the amount would have been higher if it fell under their criteria of work-related". This indicates how access to compensation support may be significantly influenced by employer cooperation, documentary control, and institutional classification of work-relatedness, resulting in unequal access to benefits even among claimants who experienced incidents during active sea service.

Participant 11's experience strongly reinforces this theme. He experienced prolonged emotional abuse, verbal abuse, extreme stress, insomnia, anxiety, panic attacks, suicidal ideation, and stress-related physical deterioration while onboard. He shared, *"They did not explicitly state that the condition was work-related, but I believe the root cause was work-related due to the stress and the ship's work"*. Despite the severity of his psychological condition, recognition of work-relatedness remained uncertain. This illustrates how mental health-related occupational harm may remain difficult to clearly classify within traditional compensation frameworks.

Participant 12 experienced a similar dispute involving a serious medical illness. He explained that his thyroid carcinoma was treated as non-work-related because of assumptions regarding genetic origin. He shared, *"The doctor in the Philippines classified my condition as non-work-related because they said it was a disease and likely genetic"*. Yet from his perspective, *"I was on board the ship when this happened"*. This reflects a lived contradiction between medical classification and claimant perception of occupational harm.

Participant 8 also indirectly reflects this issue through disability grading disputes and third-doctor complications, where the classification of injury severity directly affected compensation pathways. She stated, *"On the 110th day, even though my brother wasn't fully healed, they released a disability grading"*. She further argues that *"The grading itself was questionable because it did not indicate whether he was fit or unfit for sea duty"*. These findings suggest that recognition of work-related illness is not merely a medical determination but a contested interpretive process that significantly shapes claimant outcomes.

This theme strongly aligns with Pia et al. (2024), who emphasized ambiguity in compensation implementation, particularly regarding institutional interpretation of compensable claims. The findings also resonate with Amante (2023), who highlighted structural difficulties in compensation adjudication where interpretation affects claimant protection. The findings also support Barcelona (2022), who acknowledged that compensation and benefits mechanisms in maritime employment frameworks were not sufficiently addressed in earlier policy drafting, creating implementation difficulties regarding the "work-related" definition.

Beyond individual compensation disputes, the participants' narratives reveal a broader challenge in recognizing contemporary occupational health risks within the maritime industry. While traumatic physical injuries, such as amputations and severe onboard accidents, are more readily identified as work-related, participants with chronic illnesses, stress-related disorders, and psychological conditions described greater difficulty establishing the occupational nature of their claims. As illustrated by Participants 2, 6, 7, 11, and 12, conditions associated with prolonged stress, workplace harassment, excessive workload, fatigue, isolation, and other psychosocial hazards were often subject to narrower interpretations of work-relatedness than visible physical injuries. These findings suggest that traditional legal and contractual interpretations continue to emphasize readily observable injuries, whereas modern occupational hazards that develop gradually or involve psychological harm remain more difficult to recognize within existing compensation processes.

Modern occupational harm in maritime settings extends beyond traumatic physical injury. This finding also relates to Nalangan (2023) regarding the psychological and emotional harassment among Filipino women seafarers and its connection to trauma and repatriation. These findings also resonate with Tang et al. (2022), Pauksztat et al. (2022), and Carrera-Arce et al. (2023) that compensation claims arising from seafarers' stress, isolation, and mental health risks could result in suicidal attempts. Furthermore, these findings also align with Asuncion (2024), who identified

growing challenges in recognizing non-physical occupational conditions within compensation and disability systems. The present findings extend this concern by showing that even when psychological harm is severe, its compensability may remain uncertain within existing compensation frameworks.

Although Republic Act No. 12021 strengthened the legal framework for protecting Filipino seafarers' rights and welfare, the participants' experiences indicate that challenges remain in translating these statutory protections into consistent recognition of work-related illnesses during compensation claims processing. The continued uncertainty surrounding the classification of psychological conditions, stress-related illnesses, and chronic diseases demonstrates that implementation extends beyond the existence of legal rights to their consistent interpretation and application. Consequently, the practical realization of compensation rights may still depend on how institutions interpret work-relatedness, resulting in varying levels of access to medical support, disability benefits, and legal remedies.

From the perspective of the Interest Theory of Rights, this theme presents a profound contradiction. Compensation rights exist to protect the health, welfare, and livelihood of Filipino seafarers; however, participants' experiences suggest that these rights are more

readily realized for visible physical injuries than for chronic, psychological, or stress-related conditions whose work-relatedness remains contested. Viewed through the HRBA PANEL framework, these findings raise concerns regarding the principles of Non-discrimination, Accountability, and Legality. Rights protection should not depend on inconsistent institutional interpretations of what constitutes legitimate occupational harm. Equal access to compensation requires that both physical and non-physical occupational illnesses be assessed through transparent, evidence-based, and consistent procedures. From a phenomenological perspective, participants experienced work-related illness recognition not as a straightforward medical fact, but as a contested struggle over legitimacy, eligibility, and deservingness. While the lived experiences of seafarers and beneficiaries reveal the practical realities of compensation claims processing, understanding these experiences alone is insufficient to fully explain the institutional mechanisms behind them.

Demographic Profile of Experts from Government Agencies

Table 2 presents the demographic profile of the government agency representative. This involves Institutional Cohorts ($n_2 = 5$) comprised of key informants from DMW, DOLE/NCMB, MARINA, OWWA, and PAO.

Table 2. Demographic Profile of Experts from Government Agencies

Government Agency Representative	Position	Years in Service in Agency
DMW Representative	Director IV	Since 2022
DOLE/NCMB Representative	Acting Director	Since 2015
MARINA Representative	Director II	Since 2000
OWWA Representative	Division OIC	Since 2010
PAO Representative	Public Attorney II	Since 2022

DMW representative has been serving DMW since its creation in response to RA 11641. She currently serves DMW in the Director IV position. DOLE/NCMB representative on the other hand has been serving as Acting Director since 2025. She also served NCMB-DOLE since 2015 as Conciliator-Mediator and at the same time as VA Unit Head. Then she also became Labor Arbitration Associate under NLRC-DOLE in 2014. MARINA

Representative has been serving MARINA since the early 2000s and is currently appointed as Director II. He started as a MARINA Development Specialist, but because of his background and experience in multilateral affairs in the Department of Foreign Affairs (DFA), he was designated as a Special Assistant to the Chair and served as the Lead Shepherd for APEC Transportation. He is also a QMS

Auditor and Deputy Quality Assurance Representative of the MARINA.

OWWA representative, on the other hand, has served as OWWA Division OIC since 2022 and possesses full executive authority over the division under one of the OWWA regional offices, where she has served for more than 15 years. She was also assigned as OIC of the Social Benefits Unit, which processes the death benefits, temporary disability benefits, and medical disability benefits. She was previously Head of the Reintegration Unit, managing local livelihood programs and assistance for returning OFWs, which includes seafarers. She was also Head of various units, like the Workers Assistance Unit, 24/7 Operations Center, Education and Training Unit, Post Repatriation Assistance Unit, etc. Lastly, the PAO representative has been serving one of the PAO districts since 2022. She also shared that the first case she handled was related to a maritime labor case. She also encountered some administrative cases from seafarers with license/certificate matters with MARINA and even beneficiaries for financial support from seafarers.

Multi-Agency Intake, Referral, and Jurisdictional Sorting

One of the most dominant procedural mechanisms identified in the analysis is the multi-agency intake and referral system that governs the initial handling of compensation-related concerns involving Filipino seafarers. Rather than entering a centralized claims authority, claimants are typically first subjected to procedural sorting, where the appropriate agency is determined based on jurisdiction, claim type, legal nature, and available institutional remedies.

The DMW clarified that although it serves as the principal government agency responsible for migrant worker protection, compensation disputes involving monetary claims are not automatically resolved through DMW administrative processes. The DMW representative explained, *“The compensation claims fall under the jurisdiction of the NLRC”*. This reflects the procedural distinction between DMW’s protective and facilitative functions and the formal adjudicatory jurisdiction exercised by labor tribunals.

The DOLE/NCMB representative similarly emphasized that compensation-related disputes undergo initial procedural classification before progressing through formal mechanisms. The representative explained that the NCMB generally entertains seafarers initially,

“But if it is confirmed that there is no CBA, the case is forwarded to the NLRC”. Therefore, the parties should undergo voluntary arbitration in NCMB if they have a CBA. DOLE/NCMB representative added, *“However, under the 2025 rules of the NLRC, disputes involving seafarers without a CBA fall under the jurisdiction of the NLRC and do not need to go to the NCMB”*. This procedural explanation reflects the regulatory framework in force during the conduct of this study, following the implementation of the 2025 NLRC Rules.

The PAO representative described a comparable institutional gatekeeping mechanism, but from the perspective of legal access. She explained that legal representation is not automatic. *“We conduct a merit test and an indigency test.”* She further explained that PAO first evaluates whether the claimant qualifies financially and whether the case has sufficient legal basis for representation. This reflects that access to legal assistance is itself governed by procedural eligibility standards. The PAO Operations Manual formally supports this framework through financial qualification rules, case screening requirements, and merit-based legal evaluation procedures (Public Attorney’s Office, 2021). The PAO representative emphasized the limits of agency authority: *“If the matter is outside our jurisdiction, we refer them to the other PAO district. We handle labor cases when the matter is still at the lower levels—such as the Labor Arbiter or the Commission. But once it reaches the Court of Appeals, PAO SACS (Special Appeals Cases Service) handles it in Quezon City, their main focus is on appeals.”*

The MARINA representative further reinforced the fragmented jurisdictional nature of compensation-related procedures. He clarified that MARINA does not directly determine compensation entitlement, particularly for overseas Filipino seafarers serving aboard foreign-flagged vessels. He explained, *“Regarding compensation, we refer the matter to the DMW because MARINA’s mandate does not include prosecuting compensation claims or determining*

entitlement arising from accidents, injury, or death". He further explained MARINA's procedural role: *"First, we conduct fact-finding. We determine the vessel's flag and formally communicate with the corresponding flag administration"*. This demonstrates that MARINA functions procedurally as a regulatory and investigative body rather than a compensation adjudication agency.

The MARINA representative also emphasized that jurisdiction depends heavily on vessel registration: *"The public should understand the distinction in responsibilities depending on whether the vessel is Philippine-flagged or foreign-flagged. That determines where they should go"*. This distinction is legally significant. Claims involving foreign-flagged vessels generally proceed through overseas labor and contractual compensation frameworks, whereas Philippine domestic shipping incidents may involve direct MARINA regulatory oversight.

The OWWA representative said that they serve as an initial welfare intake and referral mechanism rather than a compensation adjudicator. OWWA's official services include welfare assistance, medical support, psychosocial intervention, repatriation support, family assistance, and claimant referrals to appropriate agencies depending on the nature of the concern. According to the OWWA representative, when compensation-related disputes involve labor claims, legal issues, or monetary claims, OWWA refers claimants to the appropriate government agencies, particularly the DMW, NLRC, labor arbiters, or OWWA's Legal Office. She explained that *"we provide them with referral forms"* and maintain a directory of agencies to guide seafarers toward the proper institution. Even when OWWA cannot directly resolve a claim, it continues to assist claimants through information dissemination, referrals, and coordination with partner agencies. This demonstrates that referral mechanisms serve as an important procedural gateway within the broader compensation claims framework.

These findings indicate that the first procedural mechanism in compensation claims is institutional sorting rather than substantive claims resolution. This decentralized structure aligns with RA 12021, which distributes compensation functions across multiple agencies.

From an institutional governance perspective, this reflects functional specialization. However, from a claimant-centered perspective, this procedural fragmentation may create confusion, especially where claimants lack legal literacy or familiarity with agency mandates. Viewed through the Human Rights-Based Approach (PANEL framework), these findings primarily raise concerns regarding **Accountability** and **Empowerment**. While institutional specialization promotes administrative efficiency, participants' ability to exercise their rights depends on understanding which agency has jurisdiction over their claims. The fragmented referral system therefore places considerable responsibility on claimants to navigate multiple institutions, highlighting the need for coordinated guidance and accessible procedural information to enable the effective realization of their legal rights.

Medical Assessment, Third-Doctor Referral, and Disability Determination

A major procedural mechanism identified in the analysis involves the medical assessment framework used to determine illness classification, disability grading, fitness for sea duty, and compensability. Compensation claims involving work-related illness or injury are not determined solely through documentary filing or legal assertion, but are heavily dependent on formal medical evaluation procedures governed by statutory timelines, contractual obligations, and dispute-resolution safeguards.

One of the most significant procedural mechanisms is the role of the company-designated physician. Under the 2016 POEA Standard Employment Contract (Department of Migrant Workers, 2016), a repatriated seafarer suffering work-related illness or injury must submit to post-employment medical examination by a company-designated physician within three working days upon arrival in the Philippines, unless physically incapacitated. DOLE/NCMB representative shared *"The seafarer must report to the company-designated physician within seventy-two (72) hours from repatriation. If the seafarer fails to report within seventy-two (72) hours, the claim becomes vulnerable, even if it is otherwise meritorious"*. This medical examination becomes the

primary procedural mechanism for determining diagnosis, treatment, disability grading, fitness or unfitness for sea duty, and compensability.

This mechanism is procedurally significant because medical classification directly affects compensation entitlement. A finding that a condition is work-related, permanently disabling, temporarily disabling, or fit-to-work substantially determines the outcome of compensation claims. Where disagreements arise between medical opinions, the legal framework provides a formal dispute-resolution mechanism through the third-doctor process.

RA 12021 recognizes this procedural safeguard. Where the company-designated physician and the seafarer's chosen physician issue conflicting medical findings, the matter may be referred to a third doctor through the Department of Migrant Workers, subject to procedural invocation within the prescribed period. However, the DOLE/NCMB representative shared, *"The DMW, with the assistance of the Professional Regulation Commission (PRC) and the Department of Health (DOH), is expected to establish a pool of accredited doctors for this purpose. However, as of now, that system is still under discussion and has not yet been implemented. Because there is still no official pool of third doctors, the parties currently follow the guidelines established in the Bonayog Case"*.

Based on Eodoro B. Bunayog, Petitioner, vs. Foscon Shipmanagement, Inc (G.R. No. 253480, 2023), the decision of the Supreme Court laid down guidelines for how Labor Arbiters must handle conflicting medical assessments. First, upon filing a complaint, the Labor Arbiter will give the conflicting parties 15 days to secure the services of a mutual third doctor. Second, the third doctor is then given 30 days to submit their final reassessment. Finally, if the employer refuses to cooperate or the parties cannot agree on a third doctor, the labor tribunals will treat the findings of the seafarer's chosen physician as binding—unless those findings are clearly biased or lack scientific basis.

The DMW representative acknowledged the broader importance of medical dispute mechanisms in compensation controversies, particularly where disability and compensability are contested. Also, DMW is now working

on the pool of third doctors, although compensation adjudication itself falls under labor tribunals in the NLRC, medical disagreement remains a critical procedural trigger affecting claims progression. The DMW Rules of Adjudication likewise reinforce the procedural significance of medical documentation, evidentiary submissions, and compensation-related dispute processes (Department of Migrant Workers, 2024).

The NCMB Magna Carta Handbook similarly identifies medical certification, disability evaluation, and illness-related documentation as essential procedural components in compensation-related labor disputes involving seafarers. The medical assessment framework also operates as a procedural validation mechanism (National Conciliation and Mediation Board, 2025).

For a claimant to successfully challenge an unfavorable medical determination of a company-designated doctor, the claimant must obtain a second physician's opinion of his choice, establish a medical conflict by complying with the procedural timelines of a third-party doctor, invoke the proper dispute-resolution mechanism, and maintain documentary support. This transforms medical evaluation from a purely healthcare function into a quasi-legal procedural mechanism.

A critical implication of this procedural structure is that compensation claims involving illness and disability become heavily dependent on formal medical interpretation rather than solely the claimant's lived incapacity. This finding strongly mirrors the lived experiences of seafarers and beneficiaries in compensation claims, where participants described disputes involving: work-relatedness; fit-to-work declarations; disability grading disputes; delayed medical recognition; and uncertainty in accessing third-doctor remedies.

This demonstrates that the challenges experienced by claimants are not isolated individual frustrations but structurally linked to the procedural mechanism of compensation determination itself. From the Interest Theory of Rights, this mechanism reflects an attempt to objectively protect compensation interests through evidence-based medical determination. However, when procedural access to dispute-resolution mechanisms becomes difficult,

the practical realization of those rights may be undermined. From the Human Rights-Based Approach, the existence of medical safeguards supports legality and due process, but meaningful accessibility depends on claimant awareness, affordability, and procedural navigability.

Mandatory Conciliation-Mediation and Labor Adjudication Pathways

Another major procedural mechanism identified in the analysis involves formal dispute-resolution pathways, particularly voluntary conciliation-mediation and compulsory labor adjudication. The DOLE/NCMB representative strongly emphasized that labor-related compensation disputes do not immediately proceed to litigation. Instead, many claims first undergo onboard accident or medical reporting of accidents or illness, and it should be written in the ship's log book. Followed by 72 hours rules reporting to the manning agency and referral to the company designated doctor for 120 days medication/treatment that may be extended to 240 days if the seafarer was given a notice for the continuation of medical. After the company-designated doctor declares the disability grading, and the seafarer is not satisfied with the result, he may consult his condition with a second doctor or a third-party doctor. If the seafarers have a CBA, the case may be filed in NCMB through the Voluntary Arbitration pathway, but if there is no CBA, the case will proceed with NLRC jurisdiction through Compulsory Arbitration.

The DOLE/NCMB representative discussed that if the seafarer is a member of a Union and has a CBA, the first step is to carry out the grievance procedure with the union (AMOSUP, IMEC, or IMMAJ) or through the manning agency. If there is no settlement or agreement in the grievance procedure, the NCMB may send a notice of termination to transfer the procedures to the NCMB. The NCMB will give a Notice to Arbitrate, and the case will be brought to a Voluntary Arbitrator. If both parties agree to settle, the NCMB will provide a Conciliation Agreement. However, if both parties do not agree, then either party may file a Motion for Reconsideration (MR) within the prescribed period after receipt of the arbitrator's decision. The Motion for Reconsideration

must first be resolved before the case can be elevated to the Court of Appeals, and then finally to the Supreme Court.

Additionally, the DOLE/NCMB representative explained that some seafarers choose SENa (Single Entry Approach), one of the DOLE ADR (Alternative Dispute Resolution) mechanisms for all employees with labor disputes, which may include seafarers. This SENa requires a 30-day process and may extend to 15 days if possible settlement may happen. She shared, *"But if there is no settlement, we will ask both parties if they will both agree to consider SENa as substantial compliance with the Grievance Procedure as stated in RA 12021. If they do not agree, the process will go back through the grievance procedure until they both agree to settle."*

This demonstrates that the compensation framework prioritizes negotiated settlement before adversarial proceedings. This procedural structure is formally supported by the NCMB Magna Carta Handbook, which recognizes conciliation-mediation as an essential dispute-resolution mechanism for labor-related claims. RA 12021 likewise institutionalizes mandatory conciliation-mediation mechanisms for labor disputes involving seafarers. Where settlement fails, disputes escalate into formal labor adjudication (National Conciliation and Mediation Board, 2025).

On the other hand, if there is no CBA, the case may be filed directly with the SENa NLRC regional office or the DOLE regional office. The case will be brought up to the Labor Arbiter in NLRC, then to the Division in NLRC. If the one party is not satisfied with the decisions in NLRC adjudication, the case will be brought up to the Court of Appeal, and then finally to the Supreme Court. This reflects the formal procedural hierarchy governing unresolved compensation disputes. The NLRC Rules of Procedure confirm this adjudicatory structure, including Labor Arbiter jurisdiction, appeals, bond requirements, execution mechanisms, and procedural timelines. If the voluntary or compulsory arbitration fails to address the seafarer's claim, the case will be brought to the Court of Appeals and then finally to the Supreme Court.

However, the DOLE/NCMB representative also acknowledges that one of the challenges

that seafarers and beneficiaries usually face is that some of the CBAs contain Compulsory Arbitration Clauses. She shared, *"If a CBA exists, the dispute falls under the NCMB, specifically under the exclusive jurisdiction of Voluntary Arbitration. However, some arbitration clauses require the dispute to be brought before compulsory arbitration despite the existence of a CBA. In those cases, the matter proceeds before the NLRC instead of the NCMB. Since compulsory arbitration falls under the NLRC, this creates confusion and becomes another challenge for seafarers."* This suggests that despite recognizing the difference between the jurisdictions of NCMB and NLRC, overlapping jurisdictions may happen if some clauses in the CBA are interpreted and followed.

The DMW representative also confirmed that compensation claims ultimately proceed through labor adjudication mechanisms rather than purely administrative resolution within DMW. Thus, although multiple agencies may provide intake, referral, assistance, or welfare

intervention, formal compensation entitlement is often determined within the labor justice system. A critical observation from this theme is that compensation claims are structured as staged dispute-resolution processes (Figure 1).

While this layered structure supports procedural fairness and due process, it may also prolong claims resolution. This finding directly reflects the lived experiences of seafarers and beneficiaries in the compensation process, where they described repeated conferences, lengthy timelines, and duplicated proceedings. From the Interest Theory of Rights, this presents an important tension. While due process protects fairness and legal certainty, excessive procedural layering may delay meaningful realization of compensation rights. From the Human Rights-Based Approach, the existence of formal remedies satisfies legality, but meaningful accessibility depends on procedural efficiency and claimant navigability.

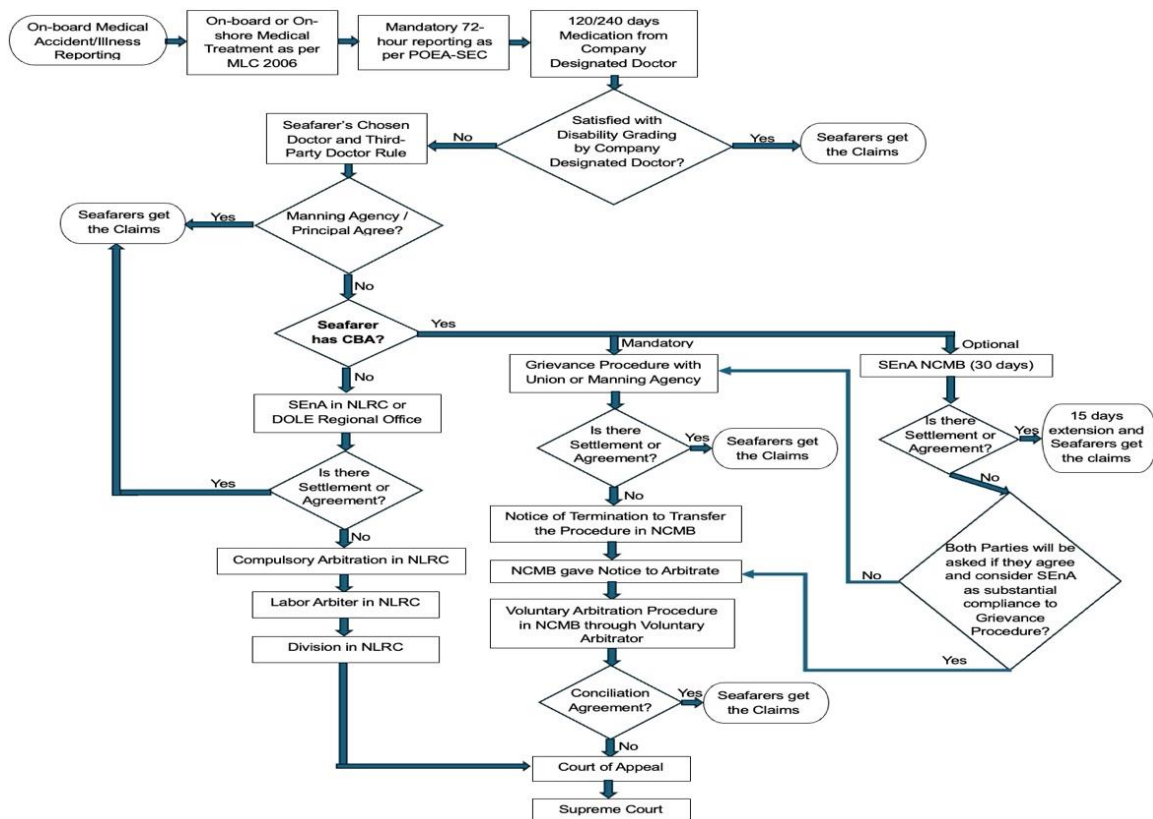


Figure 1. Compensation Claims Dispute-Resolution Process

Free Legal Assistance and Representation Mechanisms

Another significant procedural mechanism identified in the analysis is the provision of legal assistance, case assessment, legal counseling, and formal representation for qualified claimants. The analysis revealed that compensation claims involving illness, disability, death, or contested employer liability often require legal intervention beyond administrative processing.

The PAO representative explained that access to legal representation begins with formal procedural screening, whether the claimant qualifies financially under indigency standards and presents a legally meritorious case. This reflects that legal aid itself operates through procedural eligibility mechanisms. The PAO Operations Manual formally supports this structure, requiring legal screening, financial qualification, case evaluation, and internal approval before formal representation is accepted (Public Attorney's Office, 2021). Once accepted, the PAO representative explained that the agency's role extends beyond consultation. She stated: *"We prepare pleadings, conduct legal research, and represent the client."* This demonstrates that legal assistance includes: legal counseling; case assessment; document review; pleading preparation; legal research; representation before competent tribunals; and litigation support. The PAO representative also emphasized jurisdictional limitations: *"If the matter is outside our jurisdiction, we refer them to the proper agency"*. This reveals that even legal access depends on institutional mandate boundaries.

The DMW representative shared that *"Under the Ruler of the Unified Legal Aid Service of the Supreme Court, seafarers hired overseas are beneficiaries and may consult a private lawyer free of charge."* Additionally, PAO and DOLE/NCMB representatives shared that the Integrated Bar of the Philippines (IBP) could also provide mandatory, free legal assistance and representation to protect the rights of seafarers. Provided that the seafarers do not have sufficient means to afford adequate legal services.

The DOLE/NCMB representative discussed reforms introduced by the Magna Carta for Seafarers intended to regulate legal

representation and protect claimants from exploitative practices. She stated, *"Non-lawyers may no longer appear before our offices as representatives of seafarers in money claims"*. She further explained that lawyers representing seafarers must execute an Affidavit of Undertaking and comply with statutory limitations on attorneys' fees. These safeguards were introduced to discourage ambulance-chasing practices and strengthen claimant protection during compensation proceedings. Moreover, the NLRC Rules of Procedure formally establish structured litigation processes involving: formal pleadings; conferences; documentary submissions; labor arbitration; appeal procedures; execution of judgments; and bond requirements. These procedural structures make legal representation highly consequential (National Labor Relations Commission, 2025).

This finding strongly aligns with the Human Rights-Based Approach, particularly the principles of access to justice, participation, accountability, and equal protection. From the Interest Theory of Rights, legal representation serves as an institutional mechanism enabling claimants to practically enforce their substantive compensation interests.

Welfare, Emergency, Repatriation, and Insurance Assistance Mechanisms

Another major procedural mechanism identified in the analysis involves welfare-based interventions, emergency support systems, repatriation assistance, and institutional financial protection mechanisms intended to provide immediate relief to seafarers and their beneficiaries during periods of illness, injury, disability, death, or crisis. Unlike adjudicatory compensation procedures, these mechanisms are primarily humanitarian and protective in nature, focusing on immediate welfare stabilization rather than legal determination of employer liability.

The OWWA representative and documentary review reveal that the OWWA serves as a key welfare institution within the compensation ecosystem for overseas Filipino workers, including qualified Filipino seafarers. OWWA's official programs and services include: death and disability benefits; supplemental medical assistance; welfare assistance; psychosocial

support; repatriation services; education assistance for beneficiaries; livelihood and reintegration support; family assistance; and emergency welfare interventions (Overseas Workers Welfare Administration, n.d.).

The OWWA representative explained that active OWWA membership serves as a critical procedural requirement for accessing welfare-related benefits and assistance. She emphasized that *“membership status is extremely important,”* particularly when seafarers embark and disembark from vessels, because eligibility for many programs depends on active membership. Qualified members may access death benefits, burial assistance, disability assistance, medical assistance, scholarship programs, training opportunities, and family welfare services. For example, OWWA provides death benefits amounting to ₱100,000 for natural death and ₱200,000 for accidental death, in addition to burial assistance benefits and burial assistance of ₱20,000. The agency also administers disability assistance programs, where benefits may reach up to ₱100,000 depending on the severity of disability. She also shared that if the seafarers died, whether active or inactive, their beneficiaries may claim the benefits, but for those inactive, there are some limitations; they can only receive bereavement assistance of ₱20,000. She shares the benefits that may be received *“ELAP (Educational and Livelihood Assistance Program), especially the eldest child for scholarship and educational assistance”*. On an annual basis, the child may receive ₱5000 (elementary); ₱8000 (high school); and ₱10,000 (college).

For mental health-related concerns, the OWWA representative stated that seafarers with active membership may apply for medical assistance for about ₱20,000 in cash, upon submission of supporting medical documentation from recognized healthcare facilities. OWWA further provides referral services to counseling programs through partner organizations, such as the UGAT Foundation. According to the representative, *“claimants may choose between face-to-face and online counseling”*, reflecting OWWA’s role in addressing not only physical injuries but also psychosocial and mental health concerns experienced by repatriated seafarers. For the medical assistance of disabled seafarers, *“For disability benefits,*

the range may go up to ₱100,000, depending on the severity of the injury or disability.”

The OWWA representative further highlighted the agency’s post-repatriation support mechanisms, including *“scholarship assistance, skills upgrading programs, livelihood assistance, counseling services, and welfare interventions”*. She explained that *“OWWA also operates regional offices, satellite offices, OFW Help Desks, and the Seafarers Welfare Center”* to improve accessibility of services for seafarers and their families. These mechanisms demonstrate that compensation-related support extends beyond monetary benefits and includes broader welfare and reintegration assistance. These mechanisms demonstrate that OWWA’s institutional function is not compensation adjudication but welfare protection and humanitarian intervention.

The procedural framework of OWWA generally involves: initial intake and welfare assessment; identification of urgent claimant needs; membership or eligibility verification; documentary assessment; provision of welfare assistance where applicable; referral to appropriate legal or adjudicatory agencies; continued support where necessary.

This indicates that OWWA functions as an important procedural access point for claimants experiencing immediate distress, particularly beneficiaries dealing with death, disability, or emergency repatriation concerns. The Department of Migrant Workers likewise performs protective intervention functions beyond compensation adjudication. Although formal monetary compensation disputes generally proceed through labor justice mechanisms, the DMW remains operationally involved in migrant protection, welfare coordination, dispute facilitation, and procedural support for overseas seafarers. The DMW can also provide legal assistance to seafarers through the AKSYON (Agarang Kalinga at Saklolo para sa mga OFWs na Nangangailangan) Fund, particularly for OFW’s, including seafarers, to provide immediate legal, medical, financial, and humanitarian assistance to distressed seafarers and their families.

The 2016 POEA Standard Employment Contract further establishes employer obligations involving: medical treatment; repatriation; post-employment medical examination;

employer liability during illness or injury; and contractual welfare protections. These contractual mechanisms function as preventive and immediate support protections prior to formal compensation adjudication (Department of Migrant Workers, 2016).

The MARINA interview and documentary review reveal an additional welfare mechanism applicable to Philippine domestic shipping. Under MARINA Memorandum Circular No. DS-2025-01, shipowners and operators of Philippine-registered domestic vessels are required to maintain mandatory insurance coverage for seafarers in cases of maritime accident or incident. This includes coverage for: accidental death; burial assistance; permanent total disability; permanent partial disability; and emergency assistance expenses, including transportation, communication, food, and other necessary support (Maritime Industry Authority, 2025).

The MARINA expert acknowledged the existence of these protective mechanisms: *“MARINA has regulations relating to compensation, particularly insurance protection.”* However, he also recognized the practical limitations of benefit adequacy: *“That is all that a life is apparently worth.”* This observation suggests that while insurance mechanisms provide immediate financial protection, questions regarding adequacy remain. The MARINA expert also highlighted humanitarian repatriation concerns involving overseas deaths: *“Sometimes the remains continue traveling with the ship until the nearest port before they can be flown home.”* This demonstrates that welfare protection extends beyond financial assistance and includes dignified repatriation, family support, and humanitarian response. However, MARINA’s insurance mechanism must be interpreted within jurisdictional limits, as this applies specifically to Philippine domestic shipping rather than overseas Filipino seafarers serving aboard foreign-flagged vessels. These findings strongly connect with lived experiences of seafarers and beneficiaries in compensation claims, where participants and beneficiaries described urgent financial needs, medical uncertainty, delayed assistance, family distress, and dependence on institutional intervention during crisis situations.

From the Human Rights-Based Approach, these welfare mechanisms reflect state obligations to protect dignity, health, humanitarian welfare, and emergency access to support. From the Interest Theory of Rights, these interventions protect claimant welfare interests while compensation disputes remain unresolved.

Challenges and Future Institutional Reforms

While multiple government agencies provide formal procedural protections, the findings reveal that the practical implementation of these mechanisms remains constrained by administrative limitations, procedural duplication, accessibility barriers, and operational inefficiencies. At the same time, government representatives recognized the need for systemic reforms to improve claimant access and procedural efficiency.

Administrative infrastructure limitations emerged as significant implementation barriers. The PAO representative shared, *“There is no centralized digital database”*. This reflects administrative inefficiencies that may delay coordination, case tracking, and claimant support. She also discussed barriers affecting indigent clients, including transportation costs, physical attendance burdens, and documentary acquisition challenges. This demonstrates that although free legal assistance exists formally, practical access remains influenced by structural limitations.

The MARINA expert shared the Flag-to-Flag reporting: *“What makes it difficult is when Filipino seafarers are aboard foreign-flagged ships. Sometimes, we receive information about accidents from the flag administration—but not always.”* This suggests institutional resource limitations from Flag-to-Flag may affect the timely delivery of services, particularly the claimant’s concerns.

The OWWA representative identified several operational challenges affecting service delivery. She explained that one of the agency’s major constraints is limited manpower relative to the volume of clients served. According to her, *“the greatest challenge is our limited manpower,”* noting that applications must pass through multiple levels of review and verification before approval. She also acknowledged that delays may occur when applications

require additional verification or when documentary requirements remain incomplete. Membership verification, jurisdictional limitations, and coordination with external stakeholders may likewise affect processing efficiency. These findings suggest that while procedural mechanisms are formally established, operational capacity constraints may influence the timeliness and accessibility of welfare assistance.

In terms of future improvements, the OWWA representative emphasized the importance of strengthening partnerships, stakeholder collaboration, and inter-agency coordination. She stated that *“the programs and services of the various agencies and stakeholders are already in place”* and recommended focusing on enhancing the connections among agencies so that services unavailable within one institution may be complemented through another. This recommendation aligns with broader calls for a whole-of-government approach in addressing compensation-related concerns of Filipino seafarers.

DOLE/NCMB representative shares that the Magna Carta for Seafarers requires a collaborative, inter-agency framework, with relevant government bodies, where they consolidate feedback and recommendations through extensive consultations with all key stakeholders. *“However, policies often reveal gaps or conflicts during the actual implementation. Which is why revisions or amendments are introduced from time to time.”* She also acknowledged that they encountered challenges in implementing DOLE Department Order 25S. She shared, *“We have a challenge in explaining to seafarers and their counsels that when a CBA contains named arbitrators, the selection must be limited to those named arbitrators. Some seafarers believe that the Union is not pro-seafarer. These issues are brought to us, it is difficult for us to resolve because the NCMB, particularly the Office of the Director and the Conciliator-Mediators, does not have adjudicatory or deciding authority”*. She added also added that Union usually doesn’t terminate the case despite the seafarers already have a letter requesting termination. She shared, *“As a government agency, we cannot refuse filings made by seafarers. What happens, therefore, is that the grievance proceeding continues simultaneously with the filing*

before our office and the Union. If this happened, I would send a request to the Union to issue the termination. At the same time, I assure them that if there is an applicable CBA, we will still implement and recognize it.”

DOLE/NCMB representative also acknowledged that they have challenges in implementing RA 12021. *“Another challenge involves how some arbitrators interpret the Magna Carta provision requiring money claims to identify both disputed and undisputed amounts, and the cut-off date for those seafarers who were repatriated or filed after October 13, 2024. Some argue that the seafarer’s right arose at the time of medical repatriation. Others apply the filing date, depending on their interpretation, the old rules would apply.”*

Moreover, the DOLE/NCMB representative acknowledged several challenges encountered by seafarers in pursuing compensation claims. These include **jurisdictional and venue issues**, particularly when CBAs require claims to be filed in foreign jurisdictions; **compulsory arbitration provisions**, wherein disputes covered by a CBA fall under NLRC jurisdiction rather than NCMB mediation; and **evidentiary difficulties**, as some seafarers return home without accident reports, medical records, or copies of their CBAs. The representative also highlighted **contract inconsistencies and undisclosed addendums**, where seafarers initially sign non-CBA contracts but later receive onboard amendments, creating disputes regarding coverage and benefits. Similarly, **differences between contracted and actual vessel assignments** complicate the determination of liability when accidents occur. Other challenges include **procedural delays associated with the 120/240-day medical assessment periods, multiple respondents and changing contractual relationships** among manning agencies, principals, shipowners, and insurers, and the **power imbalance between employers and seafarers**, which is often aggravated by fear of blacklisting and pressure to accept unfavorable settlement offers rather than pursue legitimate claims.

The DOLE/NCMB representative further noted that the Magna Carta strengthened the prohibition against non-lawyers, commonly referred to as “ambulance chasers,” from representing seafarers in compensation claims.

Only licensed attorneys are permitted to appear as representatives before NCMB and NLRC. In addition, lawyers handling compensation claims must execute an Affidavit of Undertaking and are generally limited to charging attorney's fees not exceeding ten percent (10%) of the compensation recovered by the seafarer through contingency fee arrangements. With respect to dispute resolution, the selection of voluntary arbitrators is governed by the provisions of the applicable CBA. Where the CBA identifies designated arbitrators, the parties must select from the specified list. In cases where the parties refuse or fail to choose an arbitrator, Department Order No. 255, Series of 2025, authorizes the NCMB to appoint an arbitrator from the CBA-designated list or, when no such list exists, from the roster of NCMB-accredited voluntary arbitrators. To promote efficiency and prevent case congestion, preference is given to arbitrators with fewer pending cases. These policies aim to expedite dispute resolution while ensuring compliance with the Magna Carta for Seafarers and existing labor regulations (Department of Labor and Employment, 2025).

On the other hand, a DMW representative shared that the challenge is *"Challenges are ambulance chasers trying to manipulate the seafarer in filing claims. Even RA 12021 exists, ambulance chasing is still an ongoing challenge and concern"*. She added that the following are for implementation, subject to consultation with the stakeholders. *"The following are for implementation: Third-Party Doctor Facilitator; Guidelines on Appeal Bonds; 2026 DMW Rules and Regulations Governing the Recruitment and Employment of Sea-based OFW; DMW Standard Employment Contract (SEC) for OFW seafarers and fishers; etc."* Lastly, she shared, *"We are supporting a bill to transfer the jurisdiction of compensation claims from NLRC to attached agencies to the DMW, to streamline the process"*.

Such reform proposals align with the broader objectives of RA 12021, which seeks stronger protection of Filipino seafarers through improved institutional responsiveness. From the Human Rights-Based Approach, these findings suggest that legal rights must be supported by practical accessibility, efficient implementation, and accountable institutional

systems to ensure meaningful realization of protection. Consequently, from the Interest Theory of Rights, procedural protections fulfill their intended purpose only when institutional systems can effectively translate formal legal rights into accessible remedies for claimants. This demonstrates that the effectiveness of compensation protection depends not only on the existence of procedural mechanisms but also on how effectively these mechanisms are implemented, reformed, and made accessible to Filipino seafarers and their families.

Strengthening Inter-Agency Coordination and Digitalization of Compensation Claims

Participant 1 recommended faster reimbursement, standardized requirements, and an online tracking system for claims. Participant 2 advocated for the immediate release of disability benefits. Participant 3 proposed integrating compensation claims into the e-GovPH platform through a centralized claims portal. He advocated that accessible online information and frequently asked questions (FAQs) should be integrated, so that multiple agencies related to compensation claims can access the concerned person. Participant 4 recommended direct coordination between government agencies and companies. Participant 5 suggested a one-stop processing mechanism for health-related claims and synchronization among agencies handling compensation claims.

Participant 6 emphasized faster case processing and improved coordination between NCMB and NLRC. Participant 7 recommended shorter approval periods, online applications, and shared data systems accessible to multiple government agencies. Participant 8 proposed a one-stop claims website and centralized information database system. Participant 9 advocated reducing processing delays, repetitive submissions of documents, and inter-agency data sharing. Participant 10 highlighted the need for faster updates and shorter waiting periods during claims processing. Lastly, Participant 11 highlighted the need for better coordination among OWWA, DMW, and SSS.

The DOLE/NCMB representative highlighted the importance of cooperation among government agencies, employers, unions, and legal institutions in assisting seafarers.

Similarly, the MARINA representative advocated for a whole-of-government approach through seamless coordination, automated referrals, and centralized receiving offices for compensation-related concerns. The DMW representative likewise recommended streamlining jurisdictional processes by transferring compensation claims to agencies directly attached to the DMW to improve efficiency. The PAO representative proposed an accessible online database where claimants could monitor case status, hearing schedules, and case developments without constantly relying on lawyers for updates. Similarly, the MARINA representative recommended a unified government portal capable of routing concerns among agencies and facilitating monitoring of claims, accidents, insurance matters, and seafarer welfare concerns. The OWWA representative similarly recommended strengthening existing partnerships, referral systems, and stakeholder collaboration to improve service delivery. She emphasized that agencies should continue enhancing inter-agency coordination and cooperation so that services unavailable within one institution may be complemented through other government agencies and partner organizations.

Collectively, these recommendations highlight the need for a centralized, integrated, and technology-driven compensation claims framework.

Enhancing Claims Navigation, Communication, Transparency, and Accessibility

Participant 1 recommended improved public information campaigns and awareness programs through the Pre-Departure Orientation Seminar (PDOS). Participant 4 emphasized seafarers' need for guidance from companies. Participant 5 recommended early orientation for repatriated seafarers. Participant 6 proposed seminars and symposiums on the Magna Carta for Seafarers and emphasized information sharing among agencies. Participant 3 recommended strengthening regional OWWA offices and online appointment systems. Participant 7 advocated online applications for OWWA compensation claims. Participant 9 recommended expanding the services of the Union or Manning agency regional office to provincial areas. Participant 11 suggested

establishing DOH-accredited clinics closer to seafarers' residences. Lastly, Participant 12 emphasized easier access to government assistance and benefits.

Participant 8 emphasized transparency in claims handling. Participant 9, who recommended regular communication and claim status updates. Participant 10 highlighted the importance of timely updates from companies. Lastly, Participant 12, who advocated better guidance from both companies and government agencies.

Similar recommendations were echoed by the OWWA representative, who similarly recommends strengthening communication channels, client support systems, and public information dissemination. She encourages claimants to seek assistance early, maintain records, ask questions, and maximize available support services. She further emphasized the importance of improving accessibility through digital platforms, hotlines, social media information campaigns, satellite offices, OFW Help Desks, and expanded service facilities for seafarers and their families. The MARINA and PAO representatives, who advocated for accessible information systems and claimant-centered service delivery. The DOLE/NCMB representative emphasized empathy and understanding toward seafarers who often face financial hardship, disability, or prolonged claims processing. These recommendations suggest that procedural accessibility should be strengthened through improved communication, understanding, transparency, and decentralized service delivery.

Empowering Seafarers and Families Through Legal and Claims Literacy, Rights Awareness and Preparedness

Participant 1 encouraged seafarers to familiarize themselves with government agencies. Participant 2 recommended seeking legal advice from a private lawyer, government legal services, or when necessary. Participant 4 suggested learning from experienced claimants. Participant 5 encouraged seafarers to understand and assert their rights. Participant 6 advocated rights education and empowerment through the Magna Carta for Seafarers. Participant 7 recommended securing documentary evidence and following proper procedures as

per the company, POEA-SEC, and RA 12021 rules. Participant 8 who emphasized that “knowledge is power” and encouraged educating families. Participant 9 stressed family preparedness, and seafarers should educate their families on what to do. Participant 11 highlighted the importance of family support and preparedness. Lastly, Participant 12 recommended learning about the Magna Carta and compensation rights before disputes arise.

Similar recommendations were expressed by the DOLE/NCMB representative, who emphasized the need for greater awareness of grievance mechanisms, reporting requirements, and legal procedures under the Magna Carta for Seafarers. The DMW representative encouraged seafarers to understand their contracts and seek legal advice when necessary. Likewise, the PAO representative urged claimants to know their rights, cooperate with legal counsel, and make use of available information resources. MARINA representative also highlighted the importance of awareness regarding seafarers’ rights and family welfare. The OWWA representative encouraged seafarers and beneficiaries to become proactive information seekers by consulting official government websites, verified information sources, hotlines, and information campaigns. She also highlighted the importance of understanding available benefits, maintaining awareness of program requirements, and ensuring that family members are informed regarding welfare programs and compensation-related assistance. These recommendations suggest that legal literacy remains a critical component in empowering seafarers to effectively pursue compensation claims and access government support.

Strengthening Accountability, Legal Protection, and Fair Compensation Practices

Participant 6 advocated protection against retaliation, access to free legal assistance, and immediate release of undisputed claims. Participant 7 emphasized the need for fair determination of work-relatedness. Participant 8 recommended transparency, accountability, and sanctions against companies that provide fraudulent medical gradings or engage in misconduct. Participant 10 encouraged seafarers to pursue their rightful claims without fear.

Lastly, Participant 12 advocated fair compensation practices and protection against unfair treatment by insurers and companies.

Government representatives similarly highlighted the need to strengthen legal assistance mechanisms. The DOLE/NCMB representative recommended stronger safeguards against “ambulance chasers” and excessive contingency fees, noting that vulnerable seafarers are often exploited by unlicensed representatives. The DMW representative highlighted the availability of free legal consultations under the Unified Legal Aid Service. The PAO representative further emphasized cooperation between government legal aid providers and the Integrated Bar of the Philippines (IBP) to expand legal assistance. These recommendations demonstrate the need to ensure that seafarers have access to legitimate and affordable legal representation while safeguarding them from abuse.

Strengthening Preventive Protection, Welfare, and Early Intervention Mechanisms

Beyond compensation claims themselves, participants and agency representatives emphasized the importance of preventive protection and welfare measures. Participant 11 highlighted the need for accessible medical facilities and support services, while several participants stressed the importance of early guidance, preparedness, and timely intervention. Government representatives strongly reinforced this perspective. The MARINA representative emphasized that government efforts should focus not only on compensation but also on maritime safety, crisis preparedness, and preventive protection mechanisms. The DOLE/NCMB representative similarly highlighted compliance with reporting requirements and grievance procedures to facilitate early intervention and dispute prevention. The OWWA representative emphasized the importance of early intervention, proactive welfare assistance, counseling services, medical support, training programs, and post-repatriation assistance. She further stressed that strengthening welfare mechanisms, maintaining active membership, and encouraging early engagement with support services may help mitigate the long-term consequences of work-related illness, injury, disability, and other

welfare concerns experienced by seafarers and their families. These recommendations reflect a broader welfare-oriented approach aimed at preventing injuries, illnesses, and disputes before compensation claims become necessary.

Conclusion

Based on the findings of the study, it is concluded that while the Philippine legal and institutional framework, particularly under Republic Act No. 12021 (Magna Carta of Filipino Seafarers), provides formal mechanisms intended to protect Filipino seafarers in work-related compensation claims, the practical implementation of these protections remains complex, fragmented, and unevenly accessible.

The lived experiences of Filipino seafarers and their beneficiaries reveal that compensation claims are not merely legal or administrative processes but deeply challenging experiences involving delayed support, bureaucratic burden, emotional and financial hardship, and prolonged uncertainty. Family members also play significant but often unrecognized roles in navigating compensation procedures, particularly in severe disability and death cases. Moreover, access to compensation remains unequal, as outcomes are often influenced by employer cooperation, legal literacy, financial capacity, geographic accessibility, and procedural awareness. A particularly significant concern involves the recognition of work-related illnesses, especially non-physical, psychological, stress-related, or medically contested conditions, where claimants often encounter greater difficulty establishing compensability. These findings imply that compensation policies and procedural mechanisms should move beyond a purely legal or administrative approach and adopt a more claimant-centered framework that recognizes the social, emotional, and familial dimensions of compensation claims.

Institutionally, the Philippine government employs a decentralized compensation framework involving multiple agencies such as DMW, DOLE, NLRC, NCMB, PAO, MARINA, and OWWA, each performing specialized but interconnected functions. While this structure provides formal due process, legal assistance, welfare intervention, and adjudicatory mechanisms, it also contributes to procedural

complexity, duplication, and claimant confusion. Medical determination mechanisms, particularly the company-designated physician system and third-doctor process, also play a decisive role in compensation outcomes, but practical access to these remedies remains challenging. A significant implementation gap identified in this study is that the accredited third-doctor mechanism mandated under Republic Act No. 12021 had not yet been fully operationalized during the conduct of the study. As a result, claimants continued to rely on pre-existing procedures for resolving conflicting medical assessments or were required to independently identify third-party doctors, placing additional logistical, financial, and administrative burdens on injured seafarers and their families. This finding demonstrates that the effectiveness of legislative reforms depends not only on the enactment of statutory protections but also on their timely and coordinated implementation across responsible government agencies.

The recommendations from participants and representatives of government agencies highlight that enhancing procedural mechanisms under Republic Act No. 12021 requires reforms that strengthen inter-agency coordination and referral systems, improve information accessibility and legal awareness, expand legal and medical assistance, digitize claims processing, fully operationalize the accredited third-doctor mechanism, and reinforce preventive welfare and early intervention mechanisms. These reforms are essential to ensure that compensation claims are processed in a manner that is timely, transparent, accessible, and responsive to the lived realities of Filipino seafarers and their families.

Overall, the study concludes that the Philippine compensation framework for Filipino seafarers is legally comprehensive in principle but operationally difficult in practice. The effectiveness of compensation protection depends not only on the existence of legal rights and institutional mechanisms, but on the extent to which these systems are coordinated, accessible, efficient, and responsive to the actual needs of seafarers and their families. Finally, bridging the gap between policy and practice remains central to achieving a more

equitable and claimant-centered compensation system for Filipino seafarers.

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