

No. 27059

**UNITED STATES OF AMERICA
and
PHILIPPINES**

**Agreement on employees' compensation and medical care
programs (with annex). Signed at Manila on 10 March
1982**

Authentic text: English.

Registered by the United States of America on 24 January 1990.

**ÉTATS-UNIS D'AMÉRIQUE
et
PHILIPPINES**

**Accord concernant les programmes d'indemnisation et de
soins médicaux des employés (avec annexe). Signé à Ma-
nille le 10 mars 1982**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 24 janvier 1990.

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES ON EMPLOYEES' COMPENSATION AND MEDICAL CARE PROGRAMS

With reference to the American Embassy's Diplomatic note No. 560 dated October 9, 1979, concerning a United States proposal that the Government of the United States participate in the Philippine Medical Care Program and the Employees' Compensation Program on behalf of Philippine Nationals employed by the U.S. Forces in the Philippines, and in compliance with the RP-US Joint Labor Committee Agreed Minutes dated April 11, 1979, the Government of the Republic of the Philippines and the Government of the United States agree to the following provisions:

1. The Philippine Medical Care Program and the Employees' Compensation Program shall be extended to all Philippine national direct-hire employees of the U.S. Forces in the Philippines except those employees who are not eligible for coverage because they are not members of the Philippine Social Security System. Until such time as appropriate Philippine amendatory legislation becomes effective, these employees shall, with regard to Employees' Compensation, continue to be covered under the United States Federal Employees' Compensation Act, and, with respect to Medical Care, they will be provided comparable benefits through private insurance, with premiums shared by the employer and the employee.

2. All provisions of the above cited programs shall be applied to the U.S. Forces in a manner identical with their application to all other employers covered by the laws.

3. The Philippine national employees of the U.S. Forces shall have the same benefits and protection and be subject to the same

¹ Came into force on 10 March 1982 by signature, in accordance with paragraph 10.

obligations and penalties under the programs as all other employees covered by the two programs.

4. This agreement will replace coverage for Philippine national employees of the U.S. Forces granted by 5 U.S. Code, Section 8137 (the Federal Employees' Compensation Act). Claims for injuries and occupational diseases contracted prior to the effective date of the agreement may continue to be filed under the Federal Employees' Compensation Act in accordance with its provisions. Claims regarding exposures subsequent to the effective date of this agreement shall be filed under the Philippine Employees' Compensation Program.

5. In order to eliminate reductions in various benefits incurred as a result of the transfer of Philippine employees from coverage under the U.S. Federal Employees' Compensation Act to the Philippine Employees' Compensation Program, and consistent with para 2 of the Base Labor Agreement¹ providing for uniform wages, working conditions and benefits for employees regardless of sources of funds used, the U.S. Forces agree to provide, subject to the authorization and appropriation of funds by the United States Congress, certain supplemental benefits outlined in Annex A, which will be extended uniformly to both appropriated fund employees formerly covered by the Federal Employees' Compensation Act and also to non-appropriated fund employees of the U.S. Forces. These supplemental benefits will be reviewed whenever benefits under the Philippine Employees' Compensation Program are increased and will be adjusted so that supplemental payments, when combined with payments under the Philippine Employees' Compensation Program, do not exceed the scheduled benefits provided under the Federal Employees' Compensation Act existing at the time of the effective date of this agreement. Supplemental benefits shall be granted to appropriated and non-appropriated fund employees only upon a final finding made under

¹ United Nations, *Treaty Series*, vol. 658, p. 347.