

ASSA Recognition Award

CATEGORY	:	Innovation Recognition Award
ORGANISATION	:	Social Security System (SSS) Philippines
CONTACT PERSON	:	Voltaire P. Agas, Senior Vice-President for Legal and Enforcement May Catherine C. Ciriaco, Senior Vice-President for Administration
NAME OF PROJECT	:	New Strategies in Ensuring Compliance: "Oplan Tokhang" - SSS Style, RACE, and WDLG
OBJECTIVE AND NATURE OF PROJECT	:	This project was designed to ensure that all employers/companies comply with their obligations provided for by Social Security Law to provide social security protection their employees by enrolling their workers for coverage and regularly remitting their contributions to the SSS.
WHY IT SHOULD BE RECOGNISED	:	The project should be recognized as it has been geared to safeguard and protect the rights of workers and serves as a reminder to employers of their legal and moral responsibility to ensure the social protection of their employees. The SSS has currently close to 965,000 employers and reports show a number has not been complying with the law such that employees have been complaining about their disqualification to the benefits due to them. The program aims to decrease its collectibles and restore the rights of employed members to their benefits. It also serves as a reminder that SSS will not cease on constantly reminding their members of their obligations to ensure its long-term viability to enable the institution to provide the much-needed benefits to its members.
SUMMARY OF THE PROJECT	:	To ensure the compliance of employers to the Social Security Law of covering their employees and regularly remitting their contributions, the SSS designed this three-prong approach: 1. <u>Collection via Court Actions: "Oplan Tokhang"- SSS Style</u> Patterned after the Philippine National Police's anti-illegal drugs campaign, the SSS Oplan Tokhang serves as a stern warning to erring employers who willfully violate the law on mandatory payment of their employees' social security contributions. This program enables the SSS to speed up on court actions and follow the judicial process of filing and prosecuting cases among employers who have not remitted what they have deducted and collected from their employees. When the program was launched last year, owners and representatives of six (6) companies have been served with arrest warrants and have settled their delinquencies amounting to about US\$696,000 (PhP35.5M); two shipping companies have been served warrants but the owners have escaped and evaded arrest; two companies have posted bail but the criminal cases are still pending in court; while two of the nine representatives of security services agencies have begun serving their sentences in jail, the rest have eluded arrest and the authorities still hunting them.

2. Run After Contribution Evaders (RACE) Campaign

This Campaign focuses mainly on the conduct of mapping operations as well as posting of Show-Cause Orders among establishments in public work environments where delinquent employers are situated. No less than the SSS President and Chief Executive Officer (PCEO) Emmanuel F. Dooc has been leading the RACE operations in various locations in seven (7) different commercial centers and malls where a concentration of employers are located.

To generate heightened consciousness of employer obligation, the event is always covered by media entities, national and local, whether it be print, television, or radio. It is also covered via live-streaming on FACEBOOK to produce maximum exposure of the event.

PCEO Dooc in a press interview said that the campaign's goal is to send a strong message that the current SSS Management and the Social Security Commission (SSC), the highest decision-making body of SSS, are determined to enforce compliance with the Social Security Law, particularly on employer registration and delinquency collection. Under RACE, erring employers are ordered to show cause before the nearest SSS Branch, within 15 days, to explain why no legal actions should be taken against them.

For 2017, the SSS tracked down more than 300 delinquent employers at the RACE Campaign at the Greenhills Shopping Center and Farmers Plaza Mall, enabling the institution to collect over US\$14,901 (PhP760,000) from small enterprises either through full payment or on installment basis. Recently, three (3) RACE Campaigns were held in the provinces of Batangas, Pangasinan, and Palawan. Reports to PCEO Dooc from the provincial Legal Departments show that a number of enterprises have suddenly complied with their obligations when word spread in the business community that SSS will be conducting mapping operations in the area. The RACE Operations in Batangas and Pangasinan have resulted to a collection and posting of P1.8M.

3. Seizure of Properties through Warrants of Distraint, Levy, and Garnishment (WDLG)

This Campaign focuses on the collection from delinquent employers through the issuance of WDLG which is provided for under Section 22 of the Social Security Law and SSS Circular No. 2018-007. Set to be implemented in the 3rd Quarter of 2018, WDLG involves the seizure of personal properties, levy of real properties, and garnishment of bank accounts, equivalent to the amount of unpaid contributions including penalties of delinquent employers. The Law also provides that if an employer manages to pay its delinquency – including penalties, damages and expenses – prior to the public sale to be scheduled sixty (60) days after acquisition, the warrants issued will be lifted and the properties levied, distrained, or garnished will be restored to the owner.