



Basuguan ng Pilipinas

Embassy of the Philippines

DHAKA, BANGLADESH

ANNOUNCEMENT

24 July 2017

Resumption of Processing and Issuance of Overseas Employment Certificates (OECs) for Direct Hires and Clarification on Deployment of Direct Hires

Please be informed that per Administrative Order no. 155-A dated 16 May 2017 of the Department of Labor and Employment, the suspension of the processing and issuance of Overseas Employment Certificates (OEC) for all directly-hired Overseas Filipino Workers (OFW) has been RECALLED. Thus, Philippine Overseas Employment Administration (POEA) and the Philippine Overseas Labor Offices (POLO) **have been directed to resume processing of the issuance of the OECs subject to the requirements as set forth by the provisions of the Revised POEA Rules and Regulations governing the Recruitment and Employment of Land-based Overseas Filipino Workers of 2016.**

Please see attached news advisory dated 21 November 2016 from POEA on the clarification on deployment of direct hire workers stating Section 123 and 124 of 2016 Revised Rules and Regulations on Recruitment and Employment. Also attached are copies of the requirements for issuance of OEC for the Professional and Skilled workers and Domestic workers.

Please take note of Section 124 (d) of the 2016 Revised Rules and Regulations on Recruitment and Employment which requires clearance from the Secretary of Labor and Employment.

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Philippine
Overseas
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Administration

Republic of the Philippines
Department of Labor and Employment
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News Advisory
21 November 2016

POEA issues clarification on deployment of direct hire workers

The Philippine Overseas Employment Administration has issued an advisory clarifying the government's policy on the deployment of overseas Filipino workers hired directly by foreign employers.

POEA officer-in-charge Aristodes R. Ruaro said that effective November 3, 2016, the POEA is strictly observing the full implementation of the policy on direct hires as mandated by the 2016 Revised Rules and Regulations on the Recruitment and Employment of OFWs as follows:

SECTION 123. Ban on Direct Hires. — No employer shall directly hire an Overseas Filipino Worker for overseas employment.

SECTION 124. Exemption from the Ban on Direct Hiring. — The following are exempted from the ban on direct hiring:

- a. Members of the diplomatic corps;
- b. International organizations;
- c. Heads of state and government officials with the rank of at least deputy minister; or
- d. Other employers as may be allowed by the Secretary of Labor and Employment, such as:

1. Those provided in (a), (b) and (c) who bear a lesser rank, if endorsed by the POLO, or Head of Mission in the absence of the POLO;
2. Professionals and skilled workers with duly executed/ authenticated contracts containing terms and conditions over and above the standards set by the POEA. The number of professional and skilled Overseas Filipino Workers hired for the first time by the employer shall not exceed five (5). For the

purpose of determining the number, workers hired as a group shall be counted as one; or

3. Workers hired by a relative/family member who is a permanent resident of the host country.

Those who were exempted from the ban should register with the POEA and submit the following documents for evaluation:

- a. Verified/authenticated original employment contract which is over and above the POEA-prescribed employment contract;
- b. Passport valid at least six (6) months from the date of intended departure;
- c. Valid and appropriate visa or work permit;
- d. Certificate of medical fitness;
- e. Proof of certificate of insurance coverage covering at least the benefits provided under Section 37-A of RA 8042, as amended;
- f. Certificate of attendance to the required employment orientation/briefing; and
- g. Clearance from the Secretary of Labor and Employment for those covered under Section 124 (d) of these Rules.

Ruaro said complete requirements can be downloaded from the POEA website poea.gov.ph.

Ruaro advised applicant workers to finalize flight booking or departure schedule only upon issuance of the DOLE clearance and the overseas employment certificate from the POEA.

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PROFESSIONAL AND SKILLED WORKERS	
1.	Passport with validity period of not less than six (6) months from intended date of departure;
2.	Valid Work Visa, Entry/Work Permit (whichever is applicable per country). -If visa assurance or guarantee is issued by employer, the same should be noted/acknowledged by the Government or Immigration Office in the jobsite;
3.	Employment Contract: <ul style="list-style-type: none"> a. Original copy of Employment Contract or Offer of Employment; b. Provisions should be compliant with Sec. 124.d.2, Rule II, Part III, of the POEA Revised Rules 2016; c. Verified by the Philippine Overseas Labor Office (POLO) for countries with POLO and authenticated by the Philippine Embassy/Consulate for countries with no POLO.
4.	Valid Medical Certificate from DOH-accredited medical clinic authorized to conduct medical exams for OFWs.
5.	Pre-Departure Orientation Seminar (PDOS) Certificate issued by OWWA;
6.	Additional country-specific requirements: <ul style="list-style-type: none"> a. Canada - Labor Market Opinion (LMO), Labor Market Impact Assessment (LMIA) form and Canadian Letter; Canadian Letter and Employer's Certificate of Registration from ECON (Province of Saskatchewan Executive Council) or Saskatchewan Immigrant Nominee Program (SINP) approval are required from workers to Saskatchewan in lieu of LMO; b. USA - Labor Condition Application and Notice of Action; c. New Zealand - verified Employment Contract by the POLO in Australia; d. Middle East and African countries - Contingency Plan issued by employer <p>Note: The Administration may formulate country or skill-specific policies and guidelines for directly-hired workers. As such, additional requirements should be submitted depending on:</p> <ul style="list-style-type: none"> a. Existing labor and social laws of the host country; b. Relevant bilateral and multilateral agreements or arrangements with the host country; c. Prevailing conditions/realities in the market; and d. Skills-fitness of the worker to the position being offered.
7.	DOLE Clearance Note: Workers need not go to the DOLE office for the Clearance as it will be coursed through the POEA-NHAD
8.	Names of workers with DOLE Clearances shall be posted at the POEA website: www.poea.gov.ph
9.	Fees: POEA processing fee (US\$100.00 or PHP equivalent), OWWA membership fee (US\$25.00 or PHP equivalent).
	Reminders: <ul style="list-style-type: none"> ✓ Bring <u>Xerox/Photocopy</u> of each document. ✓ Original and duplicate copies must be separately <u>arranged according to above list</u> and clipped separately in a folder.

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BY CRD ON 21 NOV 2012

DOMESTIC WORKERS
1. Passport with validity period of not less than six (6) months from intended date of departure;
2. Valid Work Visa, Entry/Work Permit;
3.1 Verified Employment Contract by the Philippine Overseas Labor Office (POLO) at the jobsite or Authenticated Employment Contract by the Philippine Embassy or Consulate at the worksite in the absence of POLO. If there is no Philippine Embassy or Consulate in the jobsite, a verified Employment Contract by the nearest POLO is required; 3.2 POLO Indorsement Letter addressed to the Administrator seeking exemption from the ban on direct-hiring;
4. Valid Medical Certificate from DOH-accredited medical clinic authorized to conduct medical examination to OFWs;
5. TESDA National Certificate II (NC-II) for Domestic Workers;
6. Pre-Departure Orientation and Seminar (PDOS) Certificate by OWWA;
7. Comprehensive Pre-Departure Education Program (CPDEP) Certificate by OWWA;
8. At least 23 years old;
9. Sworn Affidavit/Sworn Statement on how the worker secured his/her employment; Employers Profile: Position/Designation, Tel No. and Valid I.D.'s;
10. Proof of Relationship: If the employer is your relative: a. Birth Certificate of the employer and worker to establish relationship; b. Valid I.D.'s c. Marriage Certificate as may be required.
11. DOLE Clearance Note: Workers need not go to the DOLE office for the Clearance as it will be coursed through the POEA-NHAD.
12. Names of Workers with DOLE Clearances shall be posted at the POEA website: www.poea.gov.ph
13. Fees: POEA processing fee (US\$100.00 or PHP equivalent), OWWA membership fee (US\$25.00 or PHP equivalent).
Reminders: Requirements may change depending on country situation or Directive from the POEA Administrator. ✓ Bring <u>Xerox/Photocopy</u> of each document. ✓ Original and duplicate copy must be separately arranged according to this list and clipped separately in a folder.

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BY CRD ON 24 NOV 2014