

[POEA ADVISORY NO. 19, August 23, 2010]

**NO PLACEMENT FEE POLICY FOR WORKERS TO BE DEPLOYED TO
THE U.S.A. INCLUDING GUAM**

Pursuant to Section 2-C, Rule I, Part VI of the 2002 POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Workers and POEA Memorandum Circular No. 10, s. 2009, licensed recruitment agencies recruiting Filipino workers under the H2B program for the United States, including Guam, are strictly prohibited from charging any placement and recruitment fees for Filipino workers bound for these destinations.

On 18 January 2009, the United States Department of Homeland Security has implemented regulatory changes to the H2B visa classification used for foreign workers seeking employment in the United States and Guam. Under the new rules, the cost of recruitment of these workers must be borne by employers and the charging or collection of placement fee by an employer, agent, facilitator, recruiter or similar employment service provider from workers under the H2B visa category or temporary skilled labor is illegal.

A violation of the "no placement fee" policy is a serious administrative offense with a penalty of cancellation of license under Section 1-A (5) of Rule IV, Part VI of the POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Workers.

For the information and guidance of all concerned.

(SGD.) JENNIFER JARDIN-MANALILI
Administrator



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