

[DOLE DEPARTMENT ORDER NO. 3-A, March 07, 1994]

FURTHER GUIDELINES ON THE TRAINING, TESTING, CERTIFICATION AND DEPLOYMENT OF PERFORMING ARTISTS

Pursuant to Article 36 of the Labor Code empowering the Secretary of Labor to restrict and regulate the recruitment and placement of workers and further to Department Order No. 3, Series of 1994, in line with the recommendation by the Entertainment Industry Advisory Council, the following additional guidelines on the training, testing, certification and deployment of Performing Artists are hereby promulgated for the guidance of all concerned:

I

On the Selection of Artists for Training

1. In order to qualify for training as Performing Artist, an applicant must observe the following procedure and possess the following qualifications:
 - a. Potential Artist must apply with either of the following:
 - a.1. an accredited training center;
 - a.2. a licensed agency;
 - b. Must be physically and mentally fit;
 - c. Must be capable of academic and skills training; and
 - d. Must be of good moral character.

II

On the Selection of Trainers

2. In order to qualify as Trainor, the applicant must meet the following qualifications:
 - a. Academics
 - a.1. Must be a Filipino citizen;
 - a.2. Must be of legal age;

- a.3. Must be a college graduate;
 - a.4. Must be of good moral character;
 - a.5. Must have been tested and/or certified by the NMYC as qualified to teach academic subjects.
- b. Skills
- b.1. Must be a Filipino citizen;
 - b.2. Must be of legal age;
 - b.3. Must be of good moral character
 - b.4. Must be physically and mentally fit;
 - b.5. Must have been tested and certified by the NMYC as qualified to teach a particular skill.

III

On the Establishment of Training Centers

3. Training Centers for Performing Artists must have adequate facilities, qualified staff, and must be capable of implementing an approved training curriculum. It must have the capability to provide both academic and skills training.

Facilities

4. A Training Center should have the following facilities:
 - a. For training of dancers, at least one (1) 40-square meter dance studio with permanently installed dance bars and wall mirrors at least 5 feet in height with a width measuring at least two-thirds (2/3) of the dance area's length. Additional dance studios must be similarly equipped and must be actually situated within its premises;
 - b. For training of singers, at least one (1) 10-square meter music studio with acoustic protection, a sound system and piano;
 - c. For training show bands, at least one (1) 40-square meter studio with acoustic protection, and a complete set of show band musical instruments;
 - d. One (1) 30-square meter classroom with desks, writing boards and other teaching aids and literature;
 - e. Auxiliary rooms, such as:
 - separate comfort rooms for men and women;
 - separate dressing rooms for men and women;
 - waiting rooms for trainees.
 - f. All the above mentioned studios and rooms should be well ventilated and lighted.

- g. Training materials, equipment and accessories based on training standards and course offering.

Staff

5. A Training Center should have a regular staff and, for its academic training program, a full-time supervisor or head who must at least be a college graduate or its equivalent.
6. The academic and skills trainers should have been certified by the NMYC.

Training Curriculum

7. A Training Center must use only academic and skills curriculum duly approved by the Secretary of Labor upon endorsement or recommendation by the EIAC. Nothing herein shall prevent a Training Center from seeking approval for the use of an improved curriculum. Training manuals and other support instructional materials may be developed by the center pursuant to the approved curriculum.

IV

On Authorization of Training Centers

Requirements for Authorization

8. An authorization to operate a training center shall be issued to a person, or an entity, or a licensed agency which submits such documents and complies with such requirements as follows:
 - a. A copy of its Articles or Incorporation or Partnership duly registered with the SEC, or a copy of its Registration with the Bureau of Domestic Trade;⁷
 - b. Copy of its municipal or city permit;
 - c. Proof of ownership of the center's premises or copy of the lease/rental agreement of the premises;
 - d. In the case of a licensed agency, a copy of its license, in lieu of the above documents;
 - e. List of training staff with their resumes and NMYC certification as may be applicable;
 - f. List of training equipment;
 - g. List of training programs offered;

- h. In the case of licensed agency, experience in the deployment of entertainers for at least one (1) year and in the case of talent manager or promotions company, one year experience in the development and management of entertainers; and
- i. In the case of talent managers or promotions companies or entities other than licensed agencies, nomination or appointment by licensed agencies possessing the same qualifications as in letter "h" above especially authorized to recruit and deploy entertainers as their talent developer.

9. The Training Center shall be properly identified in its facade through a signboard indicating the following:

Name of Training Center - Authorization Number

Procedure for Authorization

10. The applicant for authorization to operate a training center for performing artists shall submit to POEA a letter of application together with the documents mentioned in paragraph 8 hereof.

11. Upon receipt of the application letter and the supporting documents, the POEA shall evaluate the same. If the documents are found to be in order, it shall order the conduct of ocular inspection on the applicant's premises to determine its compliance with the facilities and other physical requirements.

The POEA may designate, whenever possible, qualified entities to evaluate and recommend applicants for accreditation.

12. Upon finding that the applicant has complied with all the requirements for authorization, the POEA will issue a certificate attesting that the applicant is qualified to conduct training for performing artists in the academic and the specific skill/s which it applied for. Such certification shall state the terms and conditions of its operations and prohibition against engaging in the deployment of artists unless duly licensed to act as employment agency.

Validity of Authorization

13. The authorization granted under these guidelines shall be valid for one (1) year from date of issuance and shall be subject to suspension or cancellation for cause. It shall be valid only for training of artists and not for recruitment for overseas deployment.

14. The authorization shall not be transferred or used by persons, entities or institutions other than those in whose favor it was issued.

15. Such authorization may be renewed upon application by its holder and

compliance with the requirements for renewal.

Reasons for Suspension or Cancellation of Authorization

16. An authorization to operate a Training Center for performing artists may be suspended or canceled by POEA on any of the following reasons:

- a. Falsification of the requisite documents, or false statement in connection with the application for authorization;
- b. Issuing Certificates of Training to those who did not undergo or complete the training program it;
- c. Non-implementation of the approved training curriculum;
- d. Collection or charging of training fees in excess of those prescribed by the Secretary of Labor;
- e. Failure to maintain a status of compliance with the facilities, staff, curriculum and other requirements for authorization;
- f. Issuing Certificates of Training to such number of artists as may be determined to be in excess of its space and training program capabilities;
- g. Engaging in acts of recruitment and placement as defined by law, except where the center is a licensed agency; and
- h. Commission of any act constituting violation of the rules for the establishment and operation of training centers.

Renewal, Monitoring and Miscellaneous Provisions

17. the POEA shall authorize Training Centers, or renew authorizations, or reinstate suspended or cancelled authorizations upon compliance of the conditions for renewal or reinstatement or upon recommendation by qualified entities duly designated by it to conduct evaluation.

18. An authorized Training Center shall not operate studios or classrooms outside of its main office. It may however operate branches outside of its premises, provided that each branch complies with such facilities, staff and training curriculum requirements as earlier stipulated.

19. Training centers shall be allowed to submit for testing a number of applicants proportionate to its space and training program capabilities.

20. A Training Center which after one year of operations has achieved only a 50% or less passing rate among its graduates who took the Academic and Skills Test, shall be served a written warning and an order to institute reforms to improve