

**[POEA MEMORANDUM CIRCULAR NO. 20 s. 1991,
September 20, 1991]**

GUIDELINES ON DECENTRALIZATION OF POEA FUNCTIONS

In pursuance of the decentralization program of the Department of Labor and Employment (DOLE) and in view of the establishment of the POEA Regional Center in Cebu, the following guidelines on the conduct of operations shall be strictly observed.

I

PRE-EMPLOYMENT SERVICE OFFICE

A. Processing of Employment Contracts

SECTION 1. Documentary Requirement. - The following documents enumerated hereunder shall be submitted for processing of contract workers under the following categories:

**1. Landbased Contract Workers Through Agencies and Entities
Except Entertainers**

- 1.1 Xerox copy of Accreditation Certificate
- 1.2 Xerox copy of Approved Job Order
- 1.3 Valid Certificate of Job Order Balance issued by ECPB (2 copies)
- 1.4 Request for Processing (RFP) 2 copies
- 1.5 Individual Notice of Employment (NOE) 2 copies
- 1.6 Employment Contracts for Domestic Helpers
- 1.7 OCW Info Sheet (2 copies)
- 1.8 Insurance Certificate

2. Entertainers

- 2.1 Xerox copy of Accreditation Certificate
- 2.2 Verified/Authenticated Individual Certificates of Eligibility
- 2.3 Duly Accomplished RO Form (2 copies)
- 2.4 Individual Employment Contracts
- 2.5 Individual Artist Accreditation Card/Verified Copy of PECC
- 2.6 OCW Info Sheet (2 copies)
- 2.7 Insurance Certificate

3. Name Hires Through Agencies/Entities

- 3.1 Letter-request from the local agency
- 3.2 Job Order Form (4 copies)
- 3.3 Employment Contract (for evaluation)
 - i. original authenticated employment contract for female workers
 - ii. original contracts for female workers
- 3.4 Entry Permit/Work Permit/Visa stamped on passport
- 3.5 Validated Booking Certificate/Pre-paid Ticket Advise

4. Individual Name Hires (Individual workers who are able to secure contracts for overseas employment on their own without assistance or participation of any agency or entity).

- 4.1 Original Employment Contract containing the minimum standard provisions of contracts or Employment Offer in the case of Canada and Europe;
- 4.2 Valid Passport;
- 4.3 Valid working visa or No Objection Certificate (NOC) or entry/work permit or certificate of visa assurance/approval from the host country's Immigration Office as the case may be;
- 4.4 Airline ticket or booking certificate or ticket exchange voucher duly verified by the Philippine Embassy/Consulate in the case of Singapore and Hongkong-bound domestic helpers;
- 4.5 Medical Examination certificates or result issued by any clinic/hospital accredited by the Department of Health (DOH) in accordance with country-specific medical examination requirements;
- 4.6 Pre-departure Orientation Seminar (PDOS) Certificate for first-timer OCWs;
- 4.7 Two (2) copies of 2 x 2 picture

5. Seafarers Through Manning Agencies

- 5.1 Letter-request for processing
- 5.2 Xerox copy of Accreditation Certificate
- 5.3 Valid Certificate of Crew Order Balance issued by ECPB (2 copies)
- 5.4 Approved Salary Scale
- 5.5 POEA Standard Contract
- 5.6 Seafarer's Info Sheet
- 5.7 Seaman's Service Record Book
- 5.8 Seaman's Registration Card

SECTION 2. Processing Procedures of Worker's Contracts and other Employment Documents. The detailed processing procedures to include process flow are presented separately forming part of annexes of this Memorandum.

SECTION 3. Processing of Returning Contract Workers. Overseas Contract Workers (OCWs) who are on vacation or on emergency leave and returning to the same employer or worksite to resume their employment within three (3) months from the date of arrival in the Philippines are processed as such by the Administration.

Further, all Filipino Cabin Crew/Flight Attendants of airlines who are on home leave may also be processed thru the Center as individual returning OCWs.

3.a. The following are the documentary requirements to be submitted:

3.a.1 Individual BM

- a. Valid Passport
- b. Valid re-entry visa where applicable
- c. Valid return ticket or employment contract, work certificate or any documents showing proof of present employment at worksite.

3.a.2 Cabin Crew/Flight Attendant

- a. passport with corresponding visa or any equivalent document
- b. any of the following:
 - Crew ID
 - Employment Certificate or other documents showing proof of employment

3.a.3 Group BM

- a. Request for Processing (RFP) 2 copies
- b. Passport of OCW
- c. OCW Info Sheet
- d. Previous documents processed by the agency such as TEP, Notice of Employment and RFP

3.b The detailed processing procedures for returning overseas contract workers to include the process flow are presented separately forming part of annexes of this Memorandum.

SECTION 4. Issuance of Overseas Employment Certificate. The OEC shall be issued for each duly processed contract. The OEC shall serve as exit clearance at the airport and as travel tax exemption. The four (4) copies of the OEC shall be used as follows:

- 4.a The original copy is given to the overseas contract worker/agent/balik-manggagawa for presentation to the airline.
- 4.b The second copy is submitted by the overseas contract worker/balik-manggagawa to the Labor Assistance Center (LAC) at the airport.
- 4.c The third copy is the overseas contract worker's/balik-manggagawa's/seafarer's personal copy.
- 4.d The fourth copy is POEA's file copy.

SECTION 5. Validity Periods of OEC. The validity periods of OEC shall be 120 days for new hires and 90 days for balik-manggagawa.

In the case of seafarers, the validity periods shall be 30 days for officers and 45 days for ratings.

5.a. Extension of the Validity of OEC

Expired OECs shall not be extended for ticketing purposes. Reprocessing of documents shall then be required for expired OECs.

However, for exit purposes at the LAC and Bureau of Immigration and Deportation (BID), the second copy of OEC shall be extended up to the date of the contract worker's departure.

The following documents shall be required for processing of requests for OEC Extensions:

- a. letter-request
- b. second copy of OEC
- c. copy of RFP or R.O.

In the case of Balik-manggagawa (vacationing workers), extension of the expired OECs shall be done upon presentation of the passport and the second copy of the OEC to the LAC.

SECTION 6. Issuance of a Certificate Regarding Processed OECs. - In the case of lost copies, the respective processing units shall issue a certification indicating the particulars of the processed OEC. This certification shall be used for exit purposes only at the LAC and the BID.

However, a certified true copy of the processed OEC can also be issued in lieu of a certification.

SECTION 7. Re-issuance of OECs. - OECs which expired before the issuance of tickets shall be deemed cancelled. Reprocessing of documents shall be required for the re-issuance of OECs are the following:

- a. expired OEC
- b. same set of documents required for processing landbased workers and seafarers

7.a. Replacement of Workers (new hires) - Requests for replacement of processed contract workers shall be acted upon presentation of the following previously processed documents:

- a. OEC or ticket
- b. Employment Contract/Agency-Worker Agreement/Standard Employment Contract
- c. RFP/RO in the case of landbased workers
- d. SSRB in the case of seafarers

SECTION 8. Monitoring of Processed OECs. - A list of processed and issued OECs shall be endorsed to the Philippine Tourism Authority (PTA) by the Administration on the sixteenth and thirtieth day of each month. Such list shall contain such information as name of contract worker, OEC No., destination, date of processing and the deploying agency in the case of new hires.

Cancelled OECs shall also be properly logged by the respective operating units. Reporting system shall be in close coordination with the designated REU Coordinator.

SECTION 9. Payment of Processing Fees and OWWA Contribution. -Payment of processing fees and welfare fund contributions shall be made immediately after the approval of the request for processing. All payments shall be covered by official receipts and no refund of fees shall be made after payment.

9.a. The following fees shall apply:

9.a.1 Landbased OCWs — P150.00

9.a.2 Seabased (engaged) — P150.00

9.a.3 Seabased (re-engaged) 75.00

9.a.4 Individual BM — 75.00

9.a.5 In the case of Cabin Crew/Flight Attendants, P75.00 shall be charged for the initial issuance of OECs. Subsequent issuance, however, shall be free of charge within one (1) year from the date the first OEC was issued provided a copy of the initially issued OEC is presented for processing.

9.a.6 Individual Name Hires — US\$100.00 or its peso equivalent

9.a.7 Re-issuance of OECs as allowed in meritorious cases shall be required to effect payment of above-cited applicable processing fees.

9.b. OWWA Contributions

9.b.1 Landbased Schedule - All Filipino employers with foreign projects and employers hiring through private recruitment agencies shall contribute to the Fund at a fixed rate of US\$25.00 based on the official rate of the Central Bank at the rate of P28.00 to a dollar US\$1.00 or P700.00.

In the event the rate of exchange fluctuates, 10% above or below the prevailing rate, the rate of contributions shall be adjusted accordingly.

This amendment is without prejudice to a prior provision mandating specific type/group of foreign employers hiring through POEA to contribute US\$50.00.

9.b.2 Seabased Schedule - OWWA Contributions are henceforth fixed at US\$25.00 regardless of the prevailing exchange rate.

II

LICENSING AND REGULATION OFFICE

A. Inspection of Agencies and Entities

1. **Inspection before Licensing** - Before issuance or renewal of a license, the center shall conduct an inspection of the premises and pertinent documents of the applicant.

2. **Inspection of Agencies** - All agencies shall be subject to periodic inspection of officers, studios or Pre-departure Orientation Seminar (PDOS) venue by the center to determine compliance with existing rules and regulations, Inspection shall likewise be conducted by the center in case of transfer of office, studio, PDOS venue or establishment of a branch or extension office, executive office, additional office or upon complaint or report of violation of existing rule and regulation.