

**[ MEMORANDUM CIRCULAR NO. MSSD-15-09,  
October 19, 2015 ]**

**CIRCULAR ON EMPLOYMENT OF FOREIGN NATIONALS**

*Adopted: 14 April 2015  
Date Filed: 19 October 2015*

1. The **Clark Development Corporation (CDC)**, together with the Department of Labor & Employment (DOLE) and the Bureau of Immigration (BI), in balancing its efforts in generating jobs for Filipinos with its initiative to simplify documentation of foreign nationals, hereby clarifies the important provisions in the standard written undertakings individually executed by the applicant foreign nationals together with their respective employer/locator as guarantor:

**A. *Exclusive Use of AEPs and VISAs***

- The applicant foreign national shall have no gainful employment other than that for which he/she was issued an Alien Employment Permit (AEP) and Subic Clark Working Visa (SCWV).
- The applicant foreign national must not have worked, engaged in the business operations, nor rendered any form of services in any capacity for the locator company prior to the issuance of or without a valid AEP and SCWV.

**B. *Inspection of Locator's Premises***

- All concerned locators shall permit duly authorized representatives of the CDC, the DOLE and/or the BI to conduct random inspections at their company premises during reasonable hours to verify compliances with the Labor Code, Philippine Immigration Act, and other pertinent laws, policies, rules and regulations governing alien employment.

**C. *Additional Requirements***

- As appropriate and necessary, CDC may require additional information on the job descriptions for non-elective positions to determine whether the engagement of a foreign national for such position is justified and to verify the non-availability of Filipino experts for the said position, in coordination with DOLE. Evaluation for the employment of foreign nationals in a non-elective positions will include, among others, size of operation and floor to manpower ration.
- Elective positions in the locator corporation shall be exempted from this requirement provided that the position classified as elective in