

**[POEA MEMORANDUM CIRCULAR NO. 1, S. 2004,
February 04, 2004]**

**GUIDELINES ON THE REGISTRATION OF NAME HIRES BY THE
POEA SATELLITE OFFICES**

Pursuant to the decentralization program of the Department of Labor and Employment (DOLE) and the deregulation thrust of the Philippine Overseas Employment Administration (POEA), all POEA Satellite Offices are hereby directed to perform Registration of Name Hires and conduct of Pre-departure Orientation Seminar for registered name hires as additional regular functions.

The exercise of the above functions shall be strictly in accordance with the following guidelines pursuant to Section 6, Rule III, Part III, Registration of Name Hires, and Section 2, Rule I, Part V, Minimum Provisions of Employment Contract, of the POEA Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers:

A. Definition of Name Hire

Name hire shall refer to a worker who is able to secure an overseas employment opportunity without the assistance or participation of a recruitment agency.

B. Definition of Registration

Registration shall refer to the act of entering in the official records of the Administration the names of name hires who will depart for overseas employment.

C. Coverage

1. These guidelines shall apply to landbased name hires, except household workers.
2. Only Filipino workers hired by direct employers may be processed as name hires.
3. Agency-endorsed name hires shall no longer be allowed.

D. Minimum Provisions of the Employment Contract

The following are the required minimum provisions of the employment contract.

1. Guaranteed wages for regular work hours and overtime pay, as appropriate, which shall not be lower than the prescribed minimum wage in the host country, or the minimum wage set by a bilateral agreement or international convention duly ratified by the host country and the Philippines, whichever is highest;
2. Free transportation to and from the worksite or offsetting benefits;
3. Free food and accommodation or offsetting benefits;
4. Just/authorized causes for termination of the contract or of the services of the workers taking into consideration the customs, traditions, norms, mores, practices, company policies and the labor laws and social legislations of the host country;
5. Repatriation of worker's remains and proper disposition thereof, upon previous arrangement with the worker's next-of-kin, or in the latter's absence, the nearest Philippine embassy or consulate to the worksite; or offsetting arrangement (for example, an employer's undertaking on repatriation of the worker's remains, at the expense of the employer, submitted to the host country as a requirement for the issuance of work/entry permit, life insurance, etc.).

The Administration reserves the right to disapprove employment contracts, which contain provisions that are contrary to law, morals and public policy.

E. Documentary Requirements

A name hire shall be registered by the POEA upon submission of the following documents:

1. Valid passport (original and photocopy)
2. Employment contract or offer of employment or equivalent document, duly signed by the employer and worker, (original and photocopy).
3. Visa/employment or work permit, or equivalent entry document (original and photocopy)
4. Certificate of medical fitness (with photograph of the worker)
5. Certificate of attendance to the required employment orientation/briefing
6. Duly accomplished OFW Info Sheet

The documentary requirements for name hires shall be subject to