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DEPARTMENT OF LABOR AND EMPLOYMENT
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TO ALL CONCERNED:

SUBJECT : GUIDELINES ON THE IMPLEMENTATION OF THE ORGANIZATION FOR TECHNICAL INTERN TRAINING PROGRAM IN RELATION TO THE TECHNICAL INTERN TRAINING (TIT)

DATE : 08 FEBRUARY 2018

Following the enactment and promulgation of the Japan Technical Intern Training Act referred to as "Act on Proper Technical Intern Training and Protection of Technical Intern Trainees" and in conjunction with the Immigration Control and Refugee Recognition Act referred to as "Immigration Control Act" (**Act No. 89 of 2016**) and the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Worker of 2016 and the Memorandum of Cooperation signed on 21 November 2017, the following guidelines on the implementation of the Technical Intern Training Program in coordination with the Organization for Technical Intern Training (OTIT) are hereby issued:

- I. The regulation and supervision of the recruitment and deployment of technical intern trainees to the Japan labor market shall continue to be the responsibility of the Philippine Overseas Employment Administration. These guidelines shall cover the seventy seven (77) occupational categories as of December 6, 2017 provided by the Organization for Technical Intern Training (OTIT) (Attachment A). Separate guidelines shall be issued for the care worker category.
- II. Definition of Terms
 1. **Accreditation** refers to the grant of authority by the Philippine Overseas Employment Administration (POEA) to a foreign supervising organization **herein referred to as supervising organization** to recruit and hire Filipino **trainees to Japan through a sending organization herein referred as** licensed recruitment agency
 - a. **Supervising Organization** refers to a Japanese non-profit juridical person that engages in the business of supervision of training (hereinafter referred to as "supervision business") by obtaining a license to supervise and engaging technical intern trainee through a sending organization.
 - b. **Implementing Organization** refers to an implementing organization of individual-enterprise-type training and an implementing organization of supervising-organization-type training.

b.1 Implementing Organization of individual-enterprise-type training refers to an organization which conducts individual-enterprise-type technical intern training based on a technical intern training plan.

b.2 Implementing Organization of supervising-organization-type training refers to an organization which conducts supervising-organization-type technical intern training based on a technical intern training plan.

2. **Joint and Several Liability** refers to the nature of liability of the supervising organization and the sending organization for any and all claims arising out of the implementation of the employment contract involving Filipino technical intern trainees.
3. **License** refers to a document issued by the Secretary of Labor and Employment or his duly authorized representative authorizing a person, partnership or corporation to operate a private recruitment agency **herein referred to as sending organization**.
4. **Overseas Employment Certificate** refers to the document issued to Overseas Filipino Workers, which serves as proof that the worker has been processed by the Administration or the POLO for worker(s) on leave.
5. **OTIT** refers to the Organization for Technical Intern Training which is a legal entity, approved its establishment on 25th January 2017 by competent ministers (the Minister of Justice and the Minister of Health, Labour and Welfare) and was entrusted with a core role for the operation of the new program that aims to promote international cooperation by transferring skills, technologies, or knowledge in Japanese industries to developing countries through human resource development with ensuring proper Technical Intern Training and protection of Technical Intern Trainees.
6. **POLO** refers to the Philippine Overseas Labor Office in Japan
7. **Preparatory Seminars** refers to the pre-deployment education and training for a period of three hundred twenty (320) hours conducted before the dispatch of the technical interns which includes the following:
 - a. Japanese Language Training according to employer requirements
 - b. Work Ethics Seminar - a seminar focused on the set of values based on the moral virtues of hard work and diligence, moral benefit of work and its ability to enhance character.
 - c. Japanese Cross Culture Seminar – a seminar focused on the Japanese customs and traditions that serve as a guide to understanding the soul of the country and its people. It also provides a glimpse into the unique world of this nation's customs; how people marry, how families celebrate holidays and other occasions, what people eat, and how they socialize and have fun.

- d. Pre-Departure Orientation refers to the re-deployment seminar focused on rights and responsibilities of a technical intern, travel tips, among others
 - e. Pre-Departure Briefing refers to the briefing conducted by the sending organization to inform the technical intern about the implementing organization, the specific training plan for the intern, terms and conditions of employment, among others.
8. **Principal** refers to the Japanese supervising organization engaging technical interns through a sending organization.
 9. **Recruitment Agreement** refers to an agreement by and between the supervising organization (principal) and the sending organization (licensed recruitment agency) defining their rights and obligations on the recruitment and employment of workers.
 10. **Reintegration** refers to the debriefing and post-internship evaluation of the technical interns upon their return after completion of contract to be conducted by the National Reintegration Center for OFWs-OWWA.
 11. **Sending Organization** refers to a Philippine licensed recruitment agency and certified by the Philippine Overseas Employment Administration that recruit and deploy medically fit and competent workers who are appropriate to engage in technical intern training pursuant to its Undertaking in the conditions for issuance of license and are willing to upgrade the knowledge and skills of their workers through the Technical Intern Training Program in Japan.
 12. **Technical Intern Offer** refers to the document provided by the Japanese employer indicating the type of occupation, the number of technical intern trainees needed and their corresponding wages.
 13. **Technical Intern Training Plan** refers to a plan accredited by OTIT relating to the implementation of the technical intern training for each technical intern trainee.
 14. **Technical Intern Trainee** refers to individual-enterprise-type technical intern trainees and supervising-organization-type technical intern trainees.
 - a. **Individual-enterprise-type technical intern trainee** refers to a foreign national who engages in individual-enterprise type intern training.
 - b. **Supervising-organization-type technical intern trainee** refers to a foreign national who engages in supervising-organization-type technical intern training
 15. **Technical Intern Training** refers to individual-enterprise-type technical intern training and supervising-organization-type technical intern training
 16. **Technical Intern Training Program (TITP)** refers to the program which aims to contribute to developing countries by accepting people from these countries for a certain period of time (maximum of 5 years) and transferring technical skills, techniques and to promote international cooperation.

III. Licensing of Sending Organizations.

1. The approval of sending organizations are subject to the existing rules and procedures for licensing of recruitment agencies under the 2016 POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Workers and the standards provided in Attachment 1 of the Memorandum of Cooperation.
2. In terms of approving the said organizations in the Philippines, POEA will commence the procedures from the signing of the Memorandum of Cooperation on 21 November 2017 subject to and consistent with the provisions of these Guidelines.
3. In accordance with provisions 2.3 and 2.4 of the Memorandum of Cooperation, the approval for a sending organization through a Letter of Recommendation by the Department of Labor and Employment through the POEA is rendered unnecessary by the issuance of the Certificate described in Attachment 3 of the Memorandum of Cooperation.
4. In accordance with provision 2.5 of the Memorandum of Cooperation, revocation of approval of Approved Sending Organizations is subject to the rules and procedures of POEA in case of violation in the conditions for issuance of license or violations committed in breach of the governing rules and regulations on recruitment and placement of workers. Any such revocation of approval shall be made publicly available in Japan.
5. The POEA will provide the full list of approved sending organizations to the Ministry of Japan by 01 April 2018.
6. The Ministry of Japan will accept only those trainees who are sent by the Philippine-approved sending organizations on the list. However, Japan side may refuse to accept a technical intern trainee of the sending organization in case that a technical training plan is not approved (provision 2.2 of the Memorandum of Cooperation).

IV. Verification of Documents - refers to the procedure being conducted or applied by the Labor Attaché that all the employment rights, benefits and welfare of Filipino migrant workers at the worksite are duly protected. The Labor Attaché also ensure that the employment contracts of Overseas Filipino Workers are consistent with the prevailing employment laws, standards and practices in both the Philippines and the host country, and that the documentary requirements for overseas employment as required by the Administration are complied with.

Verification of documents for Technical Intern Training Program shall be subject to Part III, Placement by the Private Sector, Rule I,

Accreditation and Registration of Principals/Employers of the 2016 POEA Revised Rules and Regulations for the Recruitment and Deployment of Landbased Workers.

V. Accreditation of Japanese Supervising/Implementing Organizations at POEA

1. The following documents, duly examined and verified by the Philippine Overseas Labor Office (POLO) shall be submitted to POEA by the licensed recruitment agency for the accreditation of the principal:
 - i. License of the supervising organization to conduct employment placement business based on Technical Intern Training Act.
 - ii. Recruitment Agreement between the Philippine recruitment agency and the Japanese supervising organization
 - iii. Technical Intern Offer indicating the list of direct employer with their addresses, categories of workers required, number of workers to be hired and their wage scales
 - iv. Employment Contract for the technical intern training between the intern and the implementing organization (signed on all pages by the authorized representative of the implementing organization)
2. The number of licensed supervising organizations to be registered at the POEA with sending organizations shall consider the strict limits in the number of technical intern trainees in relation to the number of regular workers of the employer as imposed by Japan Immigration authority (Attachment B - No. of Technical Intern Trainees). In consideration of the limits imposed, Section 108 of the 2016 Revised POEA Rules and Regulations on Landbased Workers on dual or multiple accreditation shall not apply to the TITP.
3. Approval of Technical Intern Offer
The number of technical intern trainees to be reflected in the verified technical intern offer shall consider the strict limit on the number of technical intern trainees in relation to the number of regular workers of the implementing organizations as mentioned in item V.2.
4. Technical intern offer supported by visa stamped on the passport and properly endorsed for processing by the accredited employer shall be allowed.

VI. Issuance of POEA Exit Clearance to Technical Interns

The following documentary requirements shall be submitted by the sending organizations for the issuance of POEA overseas employment certificates to newly hired technical interns:

1. Request for Processing Form

2. Individual employment contract with addendum between the intern and the implementing organization
3. Information sheet of the technical intern trainee
4. Passport with valid technical intern trainee visa
5. Certificate of attendance in the Pre-Departure Orientation Issued by OWWA or accredited in-house PDOS provider
6. Certificate of Work Ethics Seminar, Japan Cross Culture Orientation, Japanese Language Training Program issued by TESDA for 320 hours issued by the Language Training Schools duly-accredited by TESDA
7. Technical Internship Plan
8. Certificate of Insurance Coverage
9. POEA processing fee of 200 and OWWA membership fee of US\$25 chargeable to the supervising organization
10. Philhealth, PagIbig and Social Security System premium chargeable to the technical intern trainee

VII. Fees and Charges

1. No fee of any kind or form shall be collected, directly or indirectly, from the technical intern for their selection and deployment to Japan under the OTIT TITP.
2. No deductions shall be made on the intern's allowances/wages for any purpose except for host country prescribed allowable deductions such as tax and as provided in the Attachment 8 of the signed Memorandum of Cooperation on the New Technical Intern Training Act (Attachment C).
3. Consistent with Rule V of the Revised POEA Rules and Regulations, the technical intern trainee shall defray the cost of the following documents:
 - a. Passport
 - b. NBI/Police/Barangay Clearances
 - c. PSA Authenticated Birth Certificate
 - d. Transcript of Records and Diploma issued by the school, certified by CHED and authenticated by the DFA
 - e. (When applicable) Professional License issued by the PRC, authenticated by the DFA
 - f. Certificate of Competency issued by TESDA or another competent certifying body for the job applied for; and
 - g. DOH-prescribed medical/health examination

VIII. Settlement of Issues

Pursuant to the signed Memorandum of Cooperation, the Ministry of Japan and the Department of the Philippines will consult with respect to the implementation of activities under this Memorandum or issues arising in relation to the implementation, including occurrences of technical intern trainee's disappearances and deportations of illegally staying technical intern trainees, and will settle such issues amicably and in close cooperation, through diplomatic channels as deemed appropriate, with each country's relevant ministries and agencies.

- IX. Reports.** The following reports shall be submitted as a mechanism to monitor the conditions of technical intern trainees at the worksite:
1. The principal shall conduct monthly monitoring of technical intern trainees and shall submit a report once every three (3) months to the POLO
 2. The sending organization shall submit to POEA a quarterly report on technical intern trainees they have deployed
 3. The POEA shall submit to the POLO and the Japanese Embassy a monthly report of processed and deployed technical intern trainees
- X. Reintegration of technical interns shall be undertaken by the National Reintegration Center (NCRO) to OFWs – OWWA**
1. The NRCO shall conduct a debriefing of the technical interns upon their return after completion of contract. For this purpose, the sending organization shall submit to the NRCO a list of interns who are returning at least 3 months prior to their return
 2. The NRCO shall undertake post-internship evaluation for the purpose of enhancing and reinforcing the concept and design of technical internship programs and its delivery systems. A reintegration plan for the technical intern shall be prepared for the purpose.
 3. The NRCO shall document the implementation of the reintegration plan of the interns and shall submit a regular reintegration report to OTIT.
- XI. The provision of post-internship services to the returning interns shall be extended by the NRCO and shall aim to optimize the benefits of the acquired skills, knowledge and technology for local application.**
- XII. Repealing Clause.** All transitory issuances, including Department Order No. 106 of 2010 and Memorandum Circular No. 11 Series 2010, which are inconsistent with these revised guidelines shall be superseded or modified accordingly. Subsequent guidelines shall be issued relative to the implementation of the program as the need arises.

For guidance and compliance effective immediately.


SILVESTRE BELLO III
Secretary

Dept. of Labor & Employment
Office of the Secretary



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Job categories Eligible When Interns Shift to Technical Intern Training (ii)
(139 Operations in 77 Job categories as of December 6, 2017)

1. Agriculture (6 operations in 2 job categories)

Job categories	Operations
Cultivation agriculture *	Facility horticulture
	Upland field cropping/ Vegetable growing
	Fruit growing
Livestock agriculture *	Hog raising
	Poultry farming(collecting chicken eggs)
	Dairy

2. Fishery (9 operations in 2 job categories)

Job categories	Operations
Fishing boat fisheries *	Skipjack pole and line fishery
	Long-line fishery
	Squid jigging
	Purse seine fishery
	Trawl and seine net fishery
	Gill net fishery
	Set net fishery
	Crab and shrimp basket fishery
Aquaculture *	Scallop and oyster farming

3. Construction (33 operations in 22 job categories)

Job categories	Operations
Well drilling	Per percussion type well drilling operation Rotary type well drilling operation
Building sheet metal work	Duct sheet metal operation Interior and exterior sheet metal operation
Freezing and air conditioning apparatus installing	Freezing and air harmonizing equipment installation work
Fixture making	Hand processing work of wooden fixture
Carpentry	Carpentry construction work
Frame working	Framing construction work
Reinforcing bar construction	Assembling reinforced rod bar work
Scaffolding	Scaffolding building work
Building stone construction	Stone processing work Work of putting out stones
Tiling	Tiling work
Tile roofing	Tile-roofing work
Plastering	Plasterers work
Plumbing	Construction piping work Plant piping work
Heat insulation	Heat-retention and cool-retention construction work
Interior finishing	Plastic-material floor finishing construction work Carpeting floor finishing construction work Metal-made foundation construction work Board finishing construction work Curtain installation work
Sash setting	Building sash installation work
Waterproofing	Sealing water-proof construction work
Concrete pressure feeding	Concrete pressure transfer construction work
Well point construction	Well-point construction work
Paper hanging	Painting work
Application of construction equipment *	Dozing work Loading work Excavating work Road rolling work
Furnace installation	Furnace installation work

4. Food Manufacturing (14 operations in 9 job categories)

Job categories	Operations
Can seaming for canned foods *	Can seaming for canned foods
Poultry processing industry *	Poultry processing
Marine Heated fishery processed foodstuff manufacturing work *	Extract manufacturing
	Heated dried product manufacturing
	Flavored product manufacturing
	Smoked product manufacturing
	Salted product manufacturing
Non-heated fishery processed foodstuff manufacturing work *	Dried product manufacturing
	Fermented foodstuff manufacturing
Fish paste making	Boiled fish paste producing work
Beef and pork processing industry *	Primal cut of beef and pork processing
Ham, sausage and bacon making	Production work of ham, sausage and bacon
Bread Baking	Bread baking work
Ready-made meal manufacturing work *	Ready-made meal processing

5. Textile (22 operations in 13 job categories)

Job categories	Operations
Spinning operation *	Pre-spinning work
	Spinning process
	Winding process
	Twisting and doubling work
Weaving operation *	Sizing and warping work
	Weaving process
	Inspecting work
Dyeing	Thread permeation dyeing work
	Fabric and knit dyeing
Knit goods manufacturing	Socks producing work
	Round knitting producing work
Warp knitted fabrics manufacturing *	Warp knitting producing work
Ladies' and children's dress making	Sewing work of ready-made clothes for ladies and children
Tailoring men's suit making	Sewing work of men's ready-made clothes
Underwear manufacturing *	Underwear manufacturing operation
Bedclothes making	Bedding products work
Carpet manufacturing *	Woven carpet producing work
	Tufted carpet producing work
	Needle punched carpet producing work
Canvas product making	Canvas cloth products related work
Cloth sewing	Dress-shirt producing work
Seat product sewing *	Car seat product sewing work

6. Machinery and Metals (29 operations in 13 job categories)

Job categories	Operations
Casting	Casting iron and article operation
	Casting nonferrous metal and article operation
Forging	Hammer type forging operation
	Press type forging operation
Die casting	Hot chamber die-cast work
	Cold chamber die-cast work
Machining	Engine Lathe operation
	Milling machine operation
	Numerical Control Lathe Operation
	Machining Center Operation

6. Machinery and Metals(continue)

Job categories	Operations
Metal press	Metal press operation
Iron work	Steel processing operation for structure
Factory sheet metal work	Machine sheet metal operation
Electroplating	Electric plating work
	Meltdown zinc plating work
Aluminum anodizing	Anode oxidation treatment work
Finishing	Melting equipment finishing work
	Metal mold finishing work
	Machine assembling finishing work
Machine inspection	Machine inspection work
Machine maintenance	Machine maintenance work
Electronic equipment assembling	Electronic devices assembling work
Electronic equipment assembling	Spinning electric machine assembling work
	Transformer assembling work
	Control panel and distribution panel assembling work
	Open-close control device assembling work
	Spinning electric cord-reel producing work
Print wiring board manufacturing	Print distribution panel design
	Print distribution panel production

7. Others (25 operations in 13 job categories)

Job categories	Operations
Furniture making	Hand processing on furniture making
Printing	Off-set printing work
Book binding	Binding work
Plastic molding	Compressing forming work
	Injection forming work
	Inflation forming work
Reinforced plastic molding	Blow forming work
Painting	Hand-loaded layer forming work
	Construction painting work
	Metal painting work
Welding *	Metal bridge painting work
	Spray painting work
Industrial packaging	Manual welding
	Semi-automatic welding
Carton box and corrugated card board box making	Industrial wrapping work
	Printing box punching work
	Printing box producing work
Industrial manufacturing of pottery *	Paste box producing work
	Cardboard producing work
	Roller jigger forming work
	Pressure casting work
Automobile repair and maintenance *	Pad printing work
Building cleaning management	Automobile repair and maintenance work
	Building cleaning management work
Care worker	Care worker

○ operations and categories in the notice specified by the competent minister's (1 operations in 1 job categories)

Job categories	Operations
Airport ground handling, Aircraft ground support work (operation) *	Airport ground handling, Aircraft ground support work (operation)

Number of technical intern trainees

Basic fixed number of trainees

Total number of full-time staff of the implementing organization	Number of technical intern trainees
301 or more	1/20 of the total no. of full-time employees
Between 201 and 300	15 trainees
Between 101 and 200	10 trainees
Between 51 and 100	6 trainees
Between 41 and 50	5 trainees
Between 31 and 40	4 trainees
30 or less	3 trainees

Basic fixed number of trainees under the old system (reference)

Total number of full-time staff of the implementing organization	Number of technical intern trainees
301 or more	1/20 of the total no. of full-time employees
Between 201 and 300	15 trainees
Between 101 and 200	10 trainees
Between 51 and 100	6 trainees
50 or less	3 trainees

* The number of full-time staff does not include technical intern trainees ((i), (ii), or (iii))

Fixed number of trainees (supervising organization-type)

Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years)	Fixed number of trainees		
		Organizations conforming to the excellence criteria		
		Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years)	Technical intern trainees (iii) (3 years)
Basic fixed number of trainees	Double the basic fixed number	Double the basic fixed number	Four times the basic fixed number	Six times the fixed number

Fixed number of trainees (individual enterprise-type)

Enterprises	Fixed quota of technical intern trainees				
	Organizations conforming to the excellence criteria				
	Technical intern trainees (i) (1 year)	Technical intern trainees (ii) (2 years)	Technical intern trainees (iii) (3 years)	Technical intern trainees (iv) (2 years)	Technical intern trainees (v) (2 years)
Enterprises that the Minister of Justice and the Minister of Health, Labor and Welfare recognize as having a structure that allows continuous and stable technical intern training	Basic fixed number of trainees	Double the basic fixed number	Double the basic fixed number	Four times the basic fixed number	Six times the basic fixed number
Enterprises other than those above	1/20 of the total no. of full-time staff	1/10 of the total no. of full-time staff	1/10 of the total no. of full-time staff	1/5 of the total no. of full-time staff	3/10 of the total no. of full-time staff

- In addition, neither supervising-organization-type nor individual-enterprise-type technical intern training may exceed the number of trainees given below. ((Technical intern trainees (i) the total no. of full-time staff, technical intern trainees (ii): double the total no. of full-time staff; technical intern trainees (iii): triple the total no. of full-time staff)
- For occupations with special circumstances, the number of trainees provided for in the notice specified by the competent minister for the business pertaining to the specific occupation-
- When accepting technical intern trainees who have transferred from another implementing organization due to unavoidable circumstances, it is possible to accept them separately from the above number of trainees

Standards of Treatment of Technical Intern Trainees

The applicant of individual-enterprise-type technical intern training, or the applicant or the supervising organization of supervising-organization-type technical intern training must conform to the following standards of treatment of technical intern trainees:

- (1) To secure appropriate accommodation for the technical intern trainee;
- (2) To take measures to enable the technical intern trainee (i) to concentrate on their post-entry lectures through the payment of an allowance or some other method;
- (3) In cases of supervising-organization-type technical intern training, to ensure that such trainee will not be made to directly or indirectly pay for the expenses collected as supervision fees pursuant to the provisions of paragraph (2), Article 28 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (applicable to the applicant or the supervising organization of supervising-organization-type technical intern training only);
- (4) With regard to the expenses to be paid regularly by the technical intern trainee regardless of whether they are food expenses, accommodation expenses or other expenses, to have the technical intern trainee sufficiently understand the contents of the meals, accommodation facilities and other benefits to be provided in exchange for the expenses, to reach an agreement with the trainee about such conditions and to ensure that the amount of the expenses is equivalent to the actual expenses or is otherwise an appropriate amount; and
- (5) To pay the travel expenses required for the trainee's return to home country after the conclusion of the technical intern training (applicable to the applicant of individual-enterprise-type technical intern training or the supervising organization of supervising-organization-type technical intern training only). In case an application for technical intern training (iii) of a technical intern trainee (ii) is submitted during the period of his/her technical intern training (ii), to pay the travel expenses required for his/her travel to Japan prior to the technical intern training (iii) (applicable to the applicant of individual-enterprise-type technical intern training or the supervising organization of supervising-organization-type technical intern training which makes the technical intern trainee (iii) engage in the technical intern training (iii) only).