



Philippine
Overseas
Employment
Administration

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In line with the Administration's efforts geared toward continuous process improvement, particularly on the accreditation / registration of landbased foreign employers, all concerned are hereby enjoined to ensure the completeness and compliance of employers' documents submitted for POEA accreditation.

This streamlining measure intends to address:

1. double job / rework when a provisional registration, which is due to any of the following deficiencies, is upgraded to full registration;
2. undue delay in the processing of registration of employers when documents have to be returned to the agencies for clarification / rectification; and
3. de-clogging of pending requests awaiting employer / agency compliance with the requirement/s.

Common deficiencies noted in the documents submitted for POEA registration are:

1. Only scanned copies of the verified documents are submitted.
2. Deficient Master Employment Contract:
 - a. not signed on all pages by the employer / principal. Employment contracts must be signed in all pages by the employer as cited in the POEA Rules and in the POLO manual.
 - b. the name of the employer indicated in the contract is an individual person and is not under the name of the company or establishment seeking accreditation / registration, even when the employer is not a private household.

When workers being hired by establishments are under job categories / position titles which are similarly hired for private households, i.e. beauticians, sewers, drivers, masseuse, cleaners, cooks, etc. it is even more important that the name of the establishment, not the name of an individual, be indicated in the contract. Otherwise, it appears that the workers are household service workers.

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BY CRD ON 05 MAY 2016

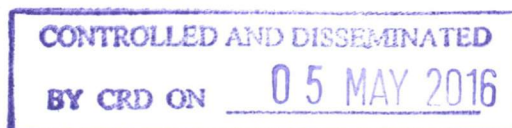
- c. name of the employer in the contract and/or in the certificate of accreditation is different from the name of the establishment indicated in the commercial registration / business license.

This has much bearing on requests for dual or multiple accreditation / registration, and watchlisting of employers / principals. There are instances when employers question watchlisting orders and insist that they are different companies, until it is eventually proven that they are the same erring companies which were watchlisted by the POEA.

There are also instances when company names in the letterheads used in the communications of employers are different from the company names indicated in the commercial registration / business license and/or the name of the company being accredited / registered. Likewise, the name of the company in the commercial registration / business license is in English while the other documents are with Arabic names.

- d. Contract lacks basic minimum provision/s:
- d.1. no duration of contract;
 - d.2. no commencement of contract;
 - d.3. commencement of contract is upon '*passing of medical examination*'; or upon *securing work permit*; or upon *reporting to duty*;
 - d.4. no provision on overtime pay;
 - d.5. no provision on vacation and / sick leave;
 - d.6. no provision on repatriation of remains in case of worker's death;
 - d.7. no provision on food / accommodation;
 - d.8. provision on Food is vaguely stated: "FREE FOOD OR COMPENSATORY FOOD ALLOWANCE OF ____." It is not clear whether food is provided by the company, or if cash allowance is given, the amount is not indicated;
 - d.9. no provision on free airfares to and from the jobsite;
 - d.10. no provision on just causes for termination of contract; and
 - d.11. no provision on dispute settlement.

Lacking provisions in the contract are supplemented in an addendum which at times is even longer than the main contract, and which is no longer resubmitted to the POLOs for verification.



3. Erasures, which were obviously made after POLO verification, on the number of vacancies or salary rates in the manpower request.

Effective 2 May 2016, only those submissions with complete and compliant documentary requirements will be received for employer accreditation / registration. The Landbased Center will cease to issue provisional accreditation / registration. Only full accreditation / registration will be issued upon full compliance with the requirements for employer accreditation / registration.

Deficient documents verified by POLOs prior to 2 May 2016 will be received until 31 May 2016, subject to full compliance with the requirements for the grant of full accreditation / registration.

For the information and guidance of all concerned.


HANS LEO J. CACDAC
Administrator

16 April 2016
PSO/LBC

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