



Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
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GOVERNING BOARD RESOLUTION NO. 05
Series of 2015

WHEREAS, on 23 February 2015, the POEA issued Governing Board Resolution No. 03, Series of 2015, imposing a total ban on the processing and deployment of all land-based OFWs bound for Yemen due to the continuing deterioration of the political and security situation in that country;

WHEREAS, following the warning issued by major ship insurance companies and protection and indemnity (P & I) clubs to shipowners regarding the worsening security conditions in Yemen affecting its ports, the POEA issued Advisory No. 04, Series of 2015 on 24 February 2015 informing all shipping companies, ship manning agencies and seafarers that crew change and crew shore leave in that country are disallowed;

WHEREAS, the International Bargaining Forum (IBF) of the international ship manning industry issued on 17 April 2015 an advisory declaring all ports within the country of Yemen as areas of Warlike Operations;

WHEREAS, the POEA, after consultations with the social partners, determines war risk trading areas and ports under warlike operations and the amount of premium pay to which seafarers shall be entitled to when sailing into these areas and ports;

WHEREAS, it is the paramount duty of the POEA to provide Filipino seafarers with the best possible protection and benefit coverage under these circumstances;

NOW THEREFORE, the POEA Governing Board, in a meeting duly convened, hereby **RESOLVES AS IT IS HEREBY RESOLVED**, to declare Yemen as war risk trading area and its ports under warlike operations, subject to the following guidelines:


1. The payment of premium pay shall apply to all seafarers on ships calling on all ports of Yemen. In the case of ships calling on any of the ports in Yemen, seafarers shall receive a premium pay equivalent to 100% of the basic wage from the time the ship is berthed securely alongside up to the time the vessel departs its berth and the last line is let go for departure on passage.
2. For ships covered by a collective agreement that provides for premium pay which is the same as, or higher than, the premium pay for entry into Yemen mentioned above, no double application of premium pay shall be allowed; provided however, where a collective agreement provides a higher premium pay, such higher rate shall apply.




3. Seafarer shall be given the right to accept or decline to join the vessel if it trades exclusively in Yemen or when the vessel is expected to call on any Yemeni port.
4. Seafarers opting not to continue his service on board under the conditions provided in Paragraph 4 above, shall be entitled to free repatriation to his point of hire, termination pay equivalent to one month basic wage, earned wages and leave pay.

The provisions herein provided shall apply to all Filipino seafarers effective immediately, in accordance with the new agreement of the IBF on this matter.

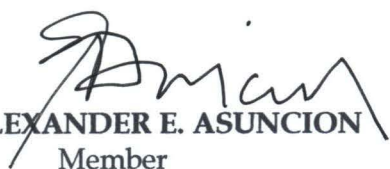
Done in the City of Manila this 26th day of May 2015.


ROSALINDA DIMAPILIS-BALDOZ
Secretary of Labor and Employment
Chairperson of the Governing Board


HANS LEO J. CACDAC
Vice- Chairperson


FELIX M. OCA
Member


ESTRELITA S. HIZON
Member


ALEXANDER E. ASUNCION
Member


MILAGROS ISABEL A. CRISTOBAL
Member

CONTROLLED AND DISSEMINATED
BY CRD ON MAY 26 2015