



GOVERNING BOARD RESOLUTION NO. 08
Series of 2016

WHEREAS, the Department of Labor and Employment implemented the Reform Package for Household Service Workers on 16 December 2006 which provides for the protection of domestic workers hired for overseas employment through the adoption of measures such as minimum age requirement, minimum salary, no placement fee policy, mandatory skills certification and attendance to the OWWA Language and Culture Orientation, among others;

WHEREAS, the Japanese National Diet amended the Act on National Strategic Special Zones on 08 July 2015 which includes measures that, among others, allow the entry of foreign nationals who shall engage in housekeeping services into the National Strategic Special Zones in Japan;

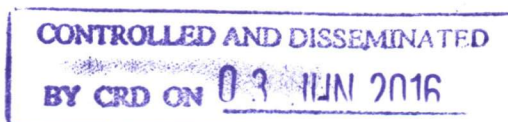
WHEREAS, the guidelines on the "*Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*" of Japan issued by the Japanese government on 9 September 2015 opens employment opportunities to Filipino housekeepers in Japan; and

WHEREAS, the recruitment, deployment and employment of Filipino housekeepers to Japan shall be in accordance with existing policies of the governments of the Philippines and Japan.

NOW THEREFORE, the POEA Governing Board, in a meeting duly convened, RESOLVES AS IT IS HEREBY RESOLVED, to allow the recruitment and deployment of Filipino housekeepers to Japan by the private sector under the *Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones* of Japan in accordance with the following terms and conditions:

I. Definition of Terms

- a. *Specified Organization (SpO)* – refers to a public or private organization providing housekeeping services in Japan and which acts as the Accepting Company (AC) of foreign housekeepers hired to do housekeeping jobs in Japan.
- b. *National Strategic Special Zones (NSSZ)* – refer to specified localities in Japan authorized to accept foreign housekeepers.



- c. Housekeeper – refers to a worker hired through a Specified Organization for employment in Japan to do cleaning, daily life care and necessary protection of children, and general housekeeping services under Japan's *Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*.
- d. *Sending Organization (SO)* – refers to a licensed Philippine Recruitment Agency (PRA) which recruits and sends housekeepers to Japan.
- e. *Employment Agency* – refers to an agency in Japan which either obtains a license to carry out employment placement business, for free or for a fee, from the Minister of Health, Labour and Welfare in Japan, or files a notification to the Minister to carry out a free employment placement business, and then receives offers for posting job offerings and offers for registering job seekers, and extends services to establish employment relationships between job offerers and job seekers.

II. Roles / Duties and Responsibilities of the Participating Organizations

A. Specified Organization (SpO)

1. Accept foreign housekeepers and act as the direct employer;
2. provide the housekeeper at least twenty (20) hours introductory attitude training for work and communication (conversing in Japanese in the household using the housekeeping services), readiness for and the significance of housekeeping services, and basic business skills, manners, emergency responses, etc. (i.e. self protection measures and reporting to police or fire station.);
3. explain to the housekeeper important matters such as procedures concerning resident cards, , re-entry permission, extension of period of stay, and grounds for deportation;
4. explain to the housekeeper working conditions and labor contracts, and relevant laws; and
5. establish an office to accept complaints and consultations from housekeepers and adopt a system to properly address such complaints and consultations, and at the same time put in place a mechanism to protect the housekeepers in cases such as where they are unfairly treated at households using their services.

B. Sending Organization (SO)

1. recruit and select qualified housekeeper applicants, taking into consideration the qualification requirements of the Employment Agencies it represents;

2. implement applicable policies and legal procedures in the Philippines in the selection, documentation, deployment, and employment of Filipino housekeepers in Japan;
3. orient prospective housekeepers with relevant information on Japan's *Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*, including the rights and responsibilities of the worker and the employer;
4. monitor the condition and status of their deployed housekeepers, through regular contact with the housekeepers and close coordination with the Employment Agencies / Specified Organizations, including the enforcement of the employment contract, and for possible on-site counselling and welfare assistance needed by their deployed housekeepers; and
5. cooperate to address and solve problems upon requests of the workers and Employment Agencies / Specified Organizations, in case of accidents, housekeeper runaways, and labor and welfare related concerns affecting the housekeepers.

C. Housekeeper

1. Provide the following content and scope of housekeeping services:
 - a. Cleaning which not only includes cleaning of floors, areas equipped with a water supply and kitchens but also furniture, etc.;
 - b. daily life care and necessary protection of children which includes picking up and dropping off of children;
 - c. acts necessary for daily life at home which includes sewing, packing, receiving packages including mails and home deliveries, preparing beddings, gardening, and repair services (i.e. replacing busted light bulbs);
 - d. housekeeping services to households with senior citizens which includes assisting to move to a dining table, accompanying such persons when going out to shop, prepare clothing and assist with change of clothing. The housekeeper shall not be required to provide physical nursing care services, such as bathing, excretion clean up, feeding, etc. to service users under conditions of long-term care;
2. incidental duties such as filing out of time sheet, contacting and reporting to the SpO before and after commencement of duties; and
3. participate in training offered by the SpO and implement learning from such training.

D. Employment Agency (EA)

Recruit and select qualified foreign housekeeper applicants for Specified Organizations taking into consideration the qualification requirements of the latter, in collaboration with the Sending Organizations under the Employment Security Act of Japan.

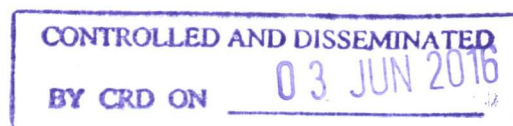
III. Qualifications for Housekeepers

- a. at least 23 years old;
- b. with minimum one (1) year work experience on housekeeping services;
- c. TESDA NC II certification; and
- d. with Japanese language competency, at least N4 level of the 'Japanese Language Proficiency Test (JLPT), for housekeepers who will engage in daily life care and necessary protection of children which includes picking up and dropping off of children.

IV. Terms and Conditions of Employment

1. Employment Status. The housekeeper shall be under the direct employment of the Specified Organization on a full time basis.
2. Salaries. The amount of remuneration paid to Filipino housekeepers shall not be less than the amount received by a Japanese counterpart who engages in equivalent housekeeping services.
3. Employment Contract. The standard "*Employment Contract for Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*", with its Addendum, shall be used in the processing of contracts of Filipino housekeepers for employment under the "Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones" of Japan.
4. Work Days / Hours. The number of working days is minimum of five (5) days per week, minimum of two hundred seventeen (217) days per year, and guaranteed minimum of thirty five (35) hours per week in Kanagawa prefecture. Deployment to other prefectures that may subsequently be approved as National Strategic Special Zones (NSSZ) shall not be lower than the minimum standards set forth in Kanagawa prefecture.

However, weekly work hours less than the guaranteed minimum work hours of thirty five (35) hours may be allowed provided that the total salary received by the housekeeper is not less than the amount paid for thirty five work hours, as in the case of housekeepers with special skills (i.e. Japanese language proficiency, caregiving and tutorial skills) who are paid higher rates than the minimum rate.

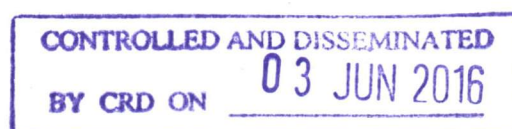


A housekeeper shall be entitled to receive an overtime payment equivalent to 25% increase in her hourly wage for work hours rendered beyond the statutory eight (8) hours a day or 40 hours a week and 35% increase for overtime work rendered during statutory days off. Work hours shall cover the travelling time between households using the housekeeper's services and performance of incidental duties cited in item no. II, C2 of these Guidelines.

5. Skills Training. The housekeeper shall be provided adequate skills training for housekeeping services and other necessary training as may be required, i.e. language competency, by the Specified Organization at no cost to the housekeeper.
6. Language Training. Inasmuch as language proficiency is not a general requirement for housekeepers, any language training that the housekeeper may be required to undergo or after hiring shall be considered a special requirement of the employer. Hence, any training fee attendant thereto shall be chargeable to the employer.
7. Airfares. The housekeeper shall be provided free airfares to and from the jobsite.
8. In-land transportation fares. Transportation fares of the housekeeper to and from the household using the housekeeping services shall be provided free by the SpO.
9. Insurance. The housekeeper shall take out the following insurance:
 - a. Social Insurance
 - a.1 health insurance; and
 - a.2 employees pension insurance for injury and disease in daily life compensation, and bereaved compensation.
 - b. Employment Insurance
 - c. Worker's accident compensation insurance for accident at work and on their way to work, chargeable to the employer

The cost of social insurance and employment insurance shall be equally co-shared by the employer and the housekeeper.

- V. Monitoring And Reporting.** Specified Organizations and Sending Organizations shall regularly monitor the condition and status of the housekeepers for reporting to the POLO and the POEA. Report shall include among others, actual number of working hours and net take home pay per month of the housekeeper.



VI. Prohibition on Collection of Fees

- a. Collection of deposits from the housekeepers themselves or from their families is prohibited under the "*Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*" of Japan.
- b. Collection of placement fees from the housekeepers by Employment Agencies, Sending and Specified Organizations for placement of housekeepers is likewise prohibited.
- c. Sending organizations shall not collect from the housekeepers administrative fees to recover the cost of deployment . Such cost shall be charged to the Employment Agencies / Specified Organizations.
- d. No fee of any kind or form shall be collected, directly or indirectly, from the housekeepers for their selection and placement under the "*Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones*" of Japan.
- e. No deductions shall be made on the housekeeper's salaries/wages for any purpose except those allowed by Japanese laws and regulations such as tax, social insurance and employment insurance.

VII. Accreditation of Employment Agencies (EA) and Specified Organizations (SpOs) at the POLO

Employment Agencies and Specified Organizations shall be accredited at the POLO. Requirements for accreditation shall be the following:

- a. Special Power of Attorney (SPA) issued by a duly authorized representative of the EA to the SO;
- b. Commercial registration and valid business license of the EA and SpO;
- c. Manpower request from the EA indicating the number of vacancies, job categories and salary rate per category, signed by a duly authorized representative of the EA;
- d. Job order from the SpO to the EA, signed by duly authorized representative of the SpO; and
- e. Master employment contract between the SpO and the worker.

VIII. Registration of Employment Agencies (EA) and Specified Organizations (SpOs) at the POEA

POLO-accredited Employment Agencies (EA) and Specified Organizations (SpOs) shall be registered at the POEA upon submission of the following:

- a. Certificate of Accreditation by the POLO; and



- b. Copies of the documentary requirements verified and approved by the POLO in the grant of POLO accreditation:
 - b.1 Special Power of Attorney (SPA) issued by a duly authorized representative of the EA to the SO;
 - b.2. Commercial registration and valid business license of the EA and SpO;
 - b.3. Manpower request from the EA indicating the number of vacancies, job categories and salary rate per category, signed by a duly authorized representative of the EA;
 - b.4. Job order from the SpO to the EA, signed by duly authorized representative of the SpO; and
 - b.6. Master employment contract between the SpO and the worker.

IX. Approval of Additional Job Order

Additional job order for housekeepers shall be approved by POEA upon presentation of the following documents:

- a. request from the SO;
- b. additional job order from the EA to SO indicating the positions, number of positions, and salary per position;
- c. additional job order from the SpO to EA.

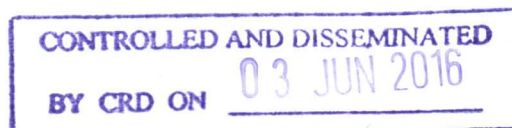
X. Validity of Registration

The registration of the EA shall be for a maximum period of four (4) years, unless sooner revoked or cancelled by the POEA on any of the following grounds:

- a. expiration of the business license of the EA;
- b. upon written mutual agreement by the parties to pre-terminate their agreement;
- c. false documentation or misrepresentation in connection with the application for registration;
- d. final judgment in a disciplinary action against the EA;
- e. cancellation of license of the SO; or
- f. cancellation of POLO accreditation.

XI. Dual / Open Accreditation

An Employment Agency may be accredited to a maximum of two (2) SOs subject to the condition that a uniform, if not upgraded compensation package, shall be adopted by the EA and the SO/s through which the EA is seeking dual



accreditation. However, SpOs that are authorized to act as employment agencies by the Minister of Health, Labour and Welfare of Japan may be accredited to a maximum of five (5) SOs, subject to the abovesited conditions on dual accreditation.

XII. Processing of Employment Contract / Issuance of Overseas Employment Certificate (OEC).

The following shall be the requirements for the processing of employment contract and issuance of OEC:

- a. copy of passport valid at least six (6) months from date of departure;
- b. copy of valid appropriate visa;
- c. verified individual employment contract;
- d. TESDA NC II certificate;
- e. OWWA Comprehensive Pre-Departure Education Program Certificate;
- f. PDOS certificate;
- g. certificate of mandatory insurance coverage under RA10022; and
- h. payment of fees

XIII. Fees and Expenses.

The following is the schedule of fees/expenses to be respectively paid by:

A. Employment Agency

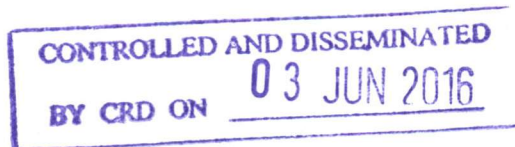
1. Service fee to the SO : open
2. POEA Processing Fee : Php200
3. OWWA Contribution : USD25 or Peso equivalent

B. Specified Organization

1. Visa Fee, including visa stamping fee
2. Final Medical Examination (if required)
3. Airfare to and from the jobsite
4. Compulsory Insurance Coverage for OFWs (USD72 per year of contract)

C. Housekeeper

1. Passport



2. Clearances (Barangay / NBI)
3. Preliminary medical examination
4. Philhealth Membership : Php 2,400 / year of contract
5. Pag-Ibig Membership : Php 100 (minimum)

This Resolution shall be effective fifteen (15) days after publication in a newspaper of general circulation and filing with the Office of the National Administrative Register.

Done in the City of Manila, this 2nd day of June 2016.


ROSALINDA DIMAPILIS-BALDOZ

Secretary of Labor and Employment and
Chairman of the Board


HANS LEO J. CACDAC

POEA Administrator and
Vice Chairman


MILAGROS ISABELA. CRISTOBAL

Member


ALEXANDER E. ASUNCION

Member


ESTRELITA S. HIZON

Member


FELIX M. OCA

Member

I. Monthly Gross Salary (JPY)

Hourly wage	Average weekly working hours	Overtime work per week	Average number of week per month	Average monthly gross salary (A)	Annual gross salary
905	30	0	4.3	116,745	1,400,940
905	35	0	4.3	136,203	1,634,430
905	40	0	4.3	155,660	1,867,920
905	40	5	4.3	179,982	2,159,783
905	40	10	4.3	204,304	2,451,645

* This is a trial calculation based on the minimum wage in Kanagawa Prefecture.
 * Average number of week per month = 365days/7days/12months = 4.3weeks
 * Payment of bonus is not considered in this calculation for simplification.

(Note) The amount of remuneration must be no less than that of Japanese counterparts. This trial calculation does not indicate that the Government of Japan recommends to pay minimum wage basis salary.

II. Statutory Deduction from Monthly Salary (JPY)

Total of (1) to (5) (B)	(1) Resident tax (in case of living in Kanagawa)	(2) Income tax	(3) Health Insurance premium	(4) Pension Insurance premium	(5) Employment Insurance premium	Monthly Remaining Balance (A minus B)
18,950	3,909	1,750	5,888	6,820	584	97,795
23,651	5,830	2,708	6,686	7,745	681	112,552
28,389	7,058	3,321	7,984	9,248	778	127,271
33,219	8,763	4,171	8,982	10,404	900	146,763
38,062	10,475	5,025	9,980	11,560	1,022	166,242

For No. 4, under certain conditions, lump-sum withdrawal payments can be applied after their return to the Philippines.

Sample Computation:

Monthly Gross Salary of Housekeeper with 35 working hours per week: JPY136,203 minus JPY 76,347

Breakdown: JPY23,651 (tax & insurance)
 21,885 (food)
 25,149 (housing)
 5,662 (utilities)

Total Net Pay: JPY59,859 = US\$544
 based on exchange rate 1USD = 110JPY

III. Monthly Remaining Balance (JPY)

CONTROLLED AND DISSEMINATED
 BY CRD ON 03 JUN 2016