



Philippine
Overseas
Employment
Administration

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GOVERNING BOARD RESOLUTION NO. 15
Series of 2016

WHEREAS, POEA Advisory No. 6, Series of 2011 was issued on 22 February 2011 suspending the processing and deployment of all OFWs bound for Libya because of heightened political unrest in the country;

WHEREAS, in December 2011, the Office of the President approved the recommendation of the DFA on the lowering of the crisis alert level in Libya from Alert Level 4 to Alert Level 2, in view of the improved security and political situation in Libya;

WHEREAS, to implement the approval of the Office of the President, POEA Governing Board Resolution No. 10, Series of 2011, was issued allowing the gradual processing and redeployment of returning workers in the medical and oil sectors, subject to proof of existing employment, as determined by POEA;

WHEREAS, in March 2012, the deployment ban to Libya was lifted and Governing Board Resolution No. 05, Series of 2012 was issued for the resumption of the processing and deployment of Filipino workers to Libya;

WHEREAS, the DFA in its letter dated 19 May 2014 and upon the recommendation of the Philippine Embassy in Tripoli, raised the Crisis Alert Level to Alert Level 2 (Restriction Phase) from Alert Level 1 (Precautionary Phase) in Libya due to continued deterioration of the political and security situation in Libya;

WHEREAS, on 29 May 2014, the Department of Foreign Affairs (DFA) raised the security Alert Level in Libya to Alert Level 3 (Voluntary Repatriation Phase) following the escalating civil unrest in the country;

WHEREAS, on 30 May 2014, POEA Governing Board Resolution No. 08, Series of 2014 was issued imposing a total deployment ban on the processing and deployment of all OFWs bound for Libya;

WHEREAS, on 11 June 2014, the DFA recommended the exemption from the total deployment ban to Libya of certain skill categories of OFWs to be allowed to return to the said country provided that their employers will issue a letter guaranteeing their safety, security and repatriation in case the situation in Libya worsens and there is imminent danger to their lives and well-being;

WHEREAS, on 11 June 2014, the DFA through the Secretary of Foreign Affairs recommended the exemption from the total deployment ban to Libya of certain skill categories of OFWs to be allowed to return to the said country, provided that their employers will issue a letter

CONTROLLED AND DISSEMINATED
BY CRD ON 15 AUG 2016

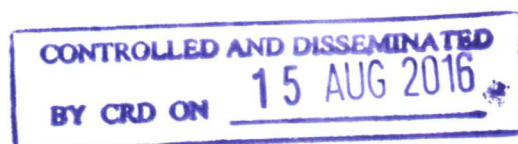
guaranteeing their safety, security and repatriation in case the situation in Libya worsens and there is imminent danger to their lives and well-being;

WHEREAS, on 13 June 2014, POEA Governing Board Resolution No. 09, Series of 2014 was issued to allow the processing and deployment of certain skill categories of returning workers to Libya;

WHEREAS, on 22 July 2014, POEA Governing Board Resolution No. 17, Series of 2014 was issued to allow the processing and deployment of additional categories of returning workers; and

WHEREAS, on 09 February 2016, the DFA through the Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) recommended the exemption to OFWs of the Libyan Norwegian Fertilizer Company (LIFECO) and Sirte Oil Company (SOC) from the deployment ban imposed in Libya due to the following considerations:

- 1) Most of these OFWs have been working for these companies for more than twenty (20) years. Hence, they would run the risk of foregoing their retirement benefits should they continue to be prohibited from returning to Libya to resume their work;
- 2) LIFECO and SOC are located in Marsa El Brega which is 800 km. east of Tripoli. Marsa El Brega is one of the key points of the Libyan oil industry. Hence, preserving the stability and sustainability of the area is a top priority;
- 3) The workplace facilities of LIFECO and SOC, have credible defense system in place and SOC also maintains support services for other emergencies;
- 4) To enhance the protection of the rights and the promotion of the welfare and interests of these OFWs, the DFA/ OUMWA also recommended the submission of the following documents, prior to their deployment to Marsa El Brega:
 - a) Letter from the Marsa El Brega - based companies requesting the return of the OFWs;
 - b) Contingency plans of these companies;
 - c) Contracts, rotation plans, and end-of-service benefits;
 - d) OFWs' collective letter of appeal to return to Libya; and
 - e) Undertaking of the respective employers to provide direct transport from entry point outside Libya to Marsas El Brega Airport or directly to the housing facility of the employees.
- 5) For humanitarian considerations, the DFA/ OUMWA reiterates its recommendation for selective exemption from the travel ban in place under GBR No. 17, Series of 2014 in order to allow the deployment of OFWs who wish to return to Marsa El Brega.



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WHEREAS, there was a general assessment conducted at the host country. A team from the DFA visited the jobsite and examined the current situation.

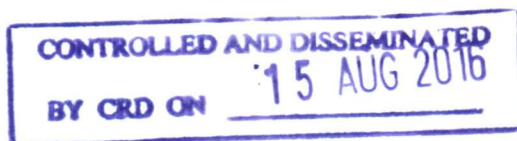
WHEREAS, subsequent to the general assessment, the DFA conducted a security assessment from the port of entry up to the jobsite and recommended for the granting of the selective exemption.

WHEREAS, subsequent to the security assessment previously conducted, on August 18, 2016, a composite team from the DFA will again conduct a general and security assessment from the port of entry up to the jobsite for the recommendation of granting of the selective exemption.

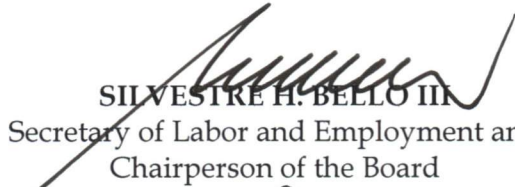
NOW, THEREFORE, the POEA Governing Board, in a meeting duly convened, **RESOLVES AS IT IS HEREBY RESOLVED**, to authorize the Administrator, upon favorable recommendation of the composite team from the DFA, to allow the processing and deployment of returning Filipino workers employed by Libyan Norwegian Fertilizer Company (LIFECO) and Sirte Oil Company (SOC) in Marsa El Brega, Libya, subject to the submission of the necessary documents cited by the DFA.

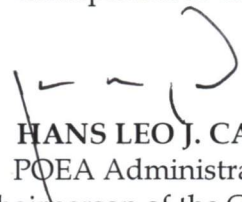
Henceforth, all requests for returning worker or Balik-Manggagawa exemptions pertaining to areas subject to deployment restrictions or bans shall include the following:

1. General assessment by the DFA of the security situation in the subject host country/destination or region.
2. Specific assessment by the DFA of the security situation in the area where the job site or workplace of the subject OFWs will be situated, including an assessment of relevant transportation routes. The specific assessment shall be accompanied by the following documents:
 - (a) Letter from the employers requesting for the return of the OFWs;
 - (b) Contingency plans of employers, including evacuation and repatriation arrangements;
 - (c) Contracts, rotation plans, and end-of-service benefits;
 - (d) OFWs' collective letter of appeal to return to their employers; and
 - (e) Undertaking of the employers to provide direct transport to and from ports of entry, and to and from the housing facility of the workers.



Done in the City of Manila, Philippines, this 12th day of August 2016.


SILVESTRE H. BELLO III
Secretary of Labor and Employment and
Chairperson of the Board


HANS LEO J. CACDAC
POEA Administrator and
Vice-Chairperson of the Governing Board


ESTRELITA S. HIZON
Member


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FELIX M. OCA
Member

MILAGROS ISABEL A. CRISTOBAL
Member

