

Republic of the Philippines Department of Labor and Employment BFO Building, Ortigas Avenue cor. EDSA, Mandaluyong City

Website: www.poea.gov.ph E-mail: info@poea.gov.ph

Hotlines: 722-1144, 722-1155



## GOVERNING BOARD RESOLUTION NO.

Series of 2018

WHEREAS, Republic Act 10022 authorizes the POEA Governing Board, after consultation with the Department of Foreign Affairs (DFA), to terminate or impose a ban on the deployment of workers including the grant of exemptions to the ban or lift the ban;

WHEREAS, POEA Governing Board Resolution No. 8, Series of 2007, dated 17 December 2007 was issued suspending the processing and deployment of all workers bound for Iraq and Afghanistan because of the unstable peace and order situation in the said countries;

WHEREAS, POEA Governing Board Resolution No. 3, Series of 2013, dated 17 February 2017, was issued lifting the deployment ban on Iraq and resuming the processing and deployment of returning workers or balik-manggagawa or rehires, provided that the deployment of returning workers or balik-manggagawa or rehires shall be allowed upon the submission of areas identified as "no-go" zones by the Iraqi government;

WHEREAS, POEA Memorandum Circular No. 5, Series of 2013 dated 17 April 2013 was issued providing the guidelines in the processing and deployment of returning workers or balik-manggagawa or rehires Overseas Filipino Workers to Iraq;

WHEREAS, POEA Governing Board No. 10, Series of 2014, issued on 14 June 2014, imposed a total deployment ban on the processing and deployment of all OFWs bound for Iraq, except for the Iraqi Kurdistan Region in view of the raising of the Crisis Alert Level to Alert Level 3 (Voluntary Repatriation Phase) by the Department of Foreign Affairs (DFA);

WHEREAS, on 20 June 2014, POEA issued Governing Board Resolution No. 12, Series of 2014, which reiterated the total deployment ban to Iraq, except to the Kurdistan Region, in view of the DFA's further raising the Crisis Alert Level to 4 (Mandatory Repatriation);

WHEREAS, on 20 June 2014, the DFA further raised the Crisis Alert Level from Alert Level 1 to Alert Level 2 (Restriction Phase) in the Iraqi Kurdistan Region. POEA Governing Board No. 13, Series of 2014, imposing a temporary suspension in the processing and deployment of newly hired workers bound for the Iraqi Kurdistan Region, while the total deployment ban in Iraq is maintained which is under Alert Level 4;

WHEREAS, on 28 November 2017 in a letter to DOLE, the DFA proposed the selective Balik-Manggagawa Exemption Program that would exempt Overseas Filipino Workers (OFWs) currently in Iraq from the deployment ban and allow them to travel to the Philippines and return to their jobs in Iraq.

> CONTROLLED AND DISSEMINATED BY CRD ON

WHEREAS, a consultation with the DFA was made on 03 January 2018, and the DFA in its letter to DOLE dated 06 January 2018, wrote, "the Department is convinced that there is basis to lower the Alert Level for Iraq from IV to III as recommended by the Philippine Embassy in Baghdad";

**WHEREAS**, the POEA Governing Board in a similar occasion issued Governing Board Resolution No. 21, Series of 2014 allowing the deployment ban exemption for selected categories of workers for Afghanistan upon recommendation of the DFA in its letter dated 21 July 2014;

WHEREAS, in another instance, the POEA Governing Board issued Governing Board Resolution No. 16, Series of 2016, allowing the processing and deployment to Libya of returning Filipino workers upon the recommendation of the DFA and lowering of the alert level in its letter dated 02 September 2016;

WHEREAS, the DFA in its letter to DOLE dated 23 May 2018, lowered the Crisis Alert Level in Iraq to Alert Level 3 (Voluntary Repatriation Phase) from Alert Level 4 (Mandatory Repatriation Phase), while the travel ban to the no-go zones covering the northern half of Iraq (Salahuddin, Anbar, Nineveh and Kirkuk) will be maintained;

**NOW THEREFORE**, the POEA Governing Board in a meeting duly convened, **RESOLVES AS IT IS HEREBY RESOLVED**, to exempt the documentation of returning workers, except household service workers, in the current deployment ban under the selective Balik–Manggagawa Exemption Program as proposed by the DFA:

- 1. Filipinos employed by Filipino, foreign and Iraqi companies with existing contracts with the Government of the Republic of Iraq; the Government of the United States; the Governments of Member States of the International Coalition; and the United Nations, other International Organizations and International Non-Government Organizations; and those employed as private staff by foreign diplomats assigned in Baghdad and ranking officials of the Government of the Republic of Iraq provided that such employers have no pending labor-related cases as certified by the Philippine Embassy in Baghdad;
- 2. Filipinos working and living in secured compounds in the following provinces: Babil, Baghdad, Basra, Dhiqar, Karbala, Maysan, Mathunna, Najaf, Qadisiyah, Saladin, Wasit, and other areas that are certified as safe by the Philippine Embassy in Baghdad and provided that their employers bring them to the nearest airport and back to their premises using secured and non-public transportation;
- 3. The Philippine Embassy in Baghdad shall provide the POEA on a regular basis a list of Filipino workers who have applied for Balik-Manggagawa coverage. In order to travel back to Iraq, Filipino workers covered by these exemptions must submit to the POEA a certificate of exemption issued by the Philippine Embassy in Baghdad and copies of the requirements so that they can be issued Overseas Employment Certificates (OECs).

RESOLVED FURTHER, that the POEA will formulate and issue the necessary implementing guidelines to carry out this Resolution.

RESOLVED FINALLY, that the current Crisis Alert Level 3 imposed in Iraq and the suspension on the processing and deployment of new hires as well as the travel ban to the nogo zones covering the northern half of Iraq (Salahuddin, Anbar, Nineveh and Kirkuk) is maintained.

Done in the City of Manila, this \_\_\_\_day of August 2018.

Secretary of Labor and Employment and Chairperson of the POEA Governing Board

BERNARD P. OLALIA

Administrator and

Vice-Chairperson of the POEA Governing Board

HIZON

Member

**RESOLVED FURTHER,** that the POEA will formulate and issue the necessary implementing guidelines to carry out this Resolution.

**RESOLVED FINALLY**, that the current Crisis Alert Level 3 imposed in Iraq and the suspension on the processing and deployment of new hires as well as the travel ban to the nogo zones covering the northern half of Iraq (Salahuddin, Anbar, Nineveh and Kirkuk) is maintained.

Done in the City of Manila, this \_\_\_ day of August 2018.

Secretary of Labor and Employment

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BERNARD P. OLALIA

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