



PLEASE ROUTE WITHIN
YOUR BRANCH

GOVERNING BOARD RESOLUTION NO. 05
Series of 2019

WHEREAS, Article 25 of the Labor Code of the Philippines, as amended, declares as a policy to actively pursue and maximize the participation of the private sector in the development and implementation of a comprehensive employment program;

WHEREAS, under Republic Act 10022, it is a declared policy that the State recognizes that non-governmental organizations, trade unions, workers associations, stakeholders and other similar entities duly recognized as legitimate, are partners of the State in the protection of Filipino migrant workers and in the promotion of their welfare;

WHEREAS, pursuant to the provisions of the Omnibus Rules Implementing the Migrant Workers and Overseas Filipinos Act of 1995, as amended by Republic Act No. 10022, the Philippine Overseas Employment Administration (POEA) shall regulate private sector participation in the recruitment and overseas placement by setting up a licensing and registration system;

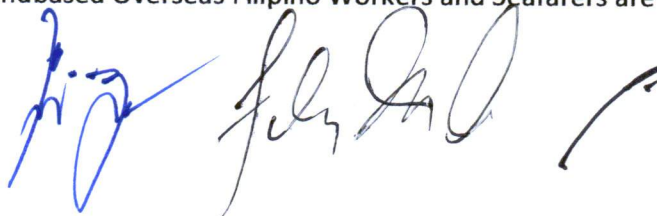
WHEREAS, the POEA Governing Board issued Governing Board Resolution No. 07, Series of 2016 adopting the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 and Governing Board Resolution No. 14, Series of 2016 adopting the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers;

WHEREAS, the provisions of Section 11 of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers and Seafarers provide that the provisional license shall only be valid for a non-extendible period of two (2) years from date of issuance;

WHEREAS, despite the mandatory language of the subject provisions, several licensed recruitment agencies are requesting for the extension of their provisional license in order to comply with the deployment of one hundred (100) workers to their new principals;

WHEREAS, there are recent events affecting the deployment of Filipino workers to include the previously imposed deployment ban to Kuwait, the temporary suspension of processing of cleaners to Qatar, the Saudization policy and the financial crisis in the Kingdom of Saudi Arabia as well as the temporary suspension of licenses for recruitment of expatriate manpower in some professions in the Sultanate of Oman and the transition for the Japan deployment under the Japan International Training Cooperation Organization (JITCO) to Office for the Technical Intern Training (OTIT).

NOW THEREFORE, the POEA Governing Board, in a meeting duly convened, **RESOLVES, AS IT IS HEREBY RESOLVED**, that the implementation of Section 11 of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers and Seafarers are held in abeyance.



CONTROLLED AND DISSEMINATED
BY CRD ON 17 JUN 2019

RESOLVED FURTHER, that the following documents should be submitted, prior to the expiration of the provisional license, to request for the extension of the license and for evaluation by the Licensing Branch:

1. Written request from the agency for the extension of license citing the reason and justification on its failure to deploy the required number of at least 100 workers (for landbased) or 50 seafarers (for seabased) to its new principals/employers;
2. Deployment report from the Information and Communications Technology Branch indicating a sufficient number of deployed workers/seafarers, as determined by the Administrator, to its new principals/employers;
3. Sufficient job order balance or crew request from its accredited new principals/employers that could meet the required deployment quota;
4. Confirmation from the new principal/employer that the Recruitment/Service Agreement is still valid and the job orders/crew request are available;
5. Certificate of no pending case from the Adjudication Office; and
6. Certificate of no pending repatriation case.

The provisional license shall be for a non-extendible period of one (1) year, counted from the date of the expiration of the provisional license, except when there is a meritorious ground as determined by the Administrator.

This Resolution shall be effective immediately.

Done in the City of Manila, this 14th day of **June 2019**.


SILVESTRE H. BELLO IN

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


BERNARD P. OLALIA

Administrator
and Vice-Chairperson of the POEA Governing Board


ESTRELITA S. HIZON

Member
Private Sector
Representative

ALEXANDER E. ASUNCION

Member
Landbased Sector
Representative


FELIX M. OCA

Member
Seabased Sector
Representative

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BY CRD ON 17 7 JUN 2019