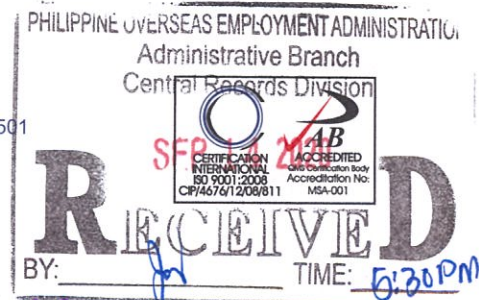




Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
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**GOVERNING BOARD RESOLUTION No. 13
Series of 2020**

WHEREAS, Proclamation Nos. 929 and 922, Series of 2020, declared a State of Public Health Emergency and State of Calamity for a period of six (6) months from 16 March 2020 throughout the Philippines;

WHEREAS, Republic Act No. 11469 also known as the Bayanihan to Heal as One Act enacted on 24 March 2020 granted the President of the Republic of the Philippines the exercise of powers to adopt temporary measures in responding to the crisis brought about by the COVID-19 pandemic in the Philippines, including, among others, in ensuring the availability of essential goods, in particular food and medicine, by adopting measures as may be necessary to facilitate and/or minimize disruption to the supply chain, especially for basic commodities and services to the maximum extent possible;

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) issued Resolution No. 36, Series of 2020 on 13 May 2020 stating on Item B that... "Further, government offices and agencies involved in the processing of their deployment are hereby directed to establish "Green Lanes" to enable their prompt processing and deployment. Further still, to facilitate the ease of deployment, the OFWs and employees of these recruitment and placement agencies shall be allowed unhampered transit to and from appropriate government offices for the processing of their requirements and facilities such as airports, ferries, bus terminals, etc., notwithstanding any Local Government Unit pronouncement to the contrary;

WHEREAS, Joint Circular 01, Series of 2020, "Guidelines for the Establishment of the Philippine Green Lane to Facilitate the Speedy and Safe Travel of Seafarers, Including their Safe and Swift Disembarkation, and Crew Change During the COVID-19 Pandemic" signed by the Department of Labor and Employment (DOLE), Department of Foreign Affairs (DFA), Department of Justice (DOJ), Department of Health (DOH), Department of Interior and Local Government (DILG), and Department of Transportation (DOTr) on 02 July 2020 recognizes seafarers as key workers providing essential services and should be accorded speedy and safe travel subject to health protocols mandated by the Philippine Government, including their safe and swift disembarkation and crew change during the COVID-19 pandemic;

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BY CRD ON SEP 14 2020**

WHEREAS, Section 115 of the 2016 POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers provides, "The Administration, through tripartite consultation involving the seafarers and the private sector, shall determine, formulate and establish minimum, separate and distinct standard employment contracts for seafarers, in accordance with accepted international standards and maritime practices. These standard employment contracts, which shall be reviewed periodically to keep them attuned to international requirements and demands, shall be the minimum requirement in every individual contract approved by the Administration;

WHEREAS, the IATF also recommended the consideration and operationalization of the joint letter of the Joint Negotiating Group (JNG) and International Transport Workers Federation (ITF) for crew change and contractual obligations during the state of emergency brought about by the COVID-19 pandemic;

WHEREAS, it is paramount duty of the POEA to provide Filipino seafarers with the fullest possible protection and benefit coverage under normal circumstances and even more so during situations of instability, crisis or pandemic due to the increased vulnerabilities of the said workers;

NOW, THEREFORE, the POEA Governing Board, in a meeting duly convened, hereby **RESOLVES AS IT IS HEREBY RESOLVED** to issue this *Interim Guidelines for Facilitated Deployment and Provisions for Repatriation of Filipino Seafarers During the National State of Emergency brought about by COVID-19 Pandemic in the Philippines* which shall apply to all Filipino seafarers that will board all types of vessels including fishing vessels effectively immediately but without prejudice to the regulations issued by the IATF and other relevant government agencies.

RESOLVED FURTHER that this Interim Guidelines effectively amends and suspends existing policy until 15 March 2022, unless otherwise extended or earlier determined by a tripartite consultation, as follows:

1. A seafarer who has signed an employment contract but cannot be deployed from the point of hire due to COVID-19 related reasons that are not attributable to the seafarer, such as but not limited to flight cancellation, or change in the appropriate Philippine or foreign government regulations, shall be provided accommodation and food at principal/employer's cost, unless otherwise provided by the government, until the seafarer is deployed or his/ her contract is cancelled and he/she has returned home.
2. A seafarer who has departed from the point of hire but becomes stranded during transit due to COVID-19 related reasons that are not attributable to the seafarer, such as but not limited to flight cancellation, or change in the appropriate Philippine or foreign government regulations, shall be paid basic pay,

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accommodation, food, and medical (sickness, accident, D&D) at principal/ employer's cost until the seafarer joins the vessel.

3. A seafarer who has signed the contract and left the point of hire but was unable to join the ship and is repatriated for reasons related to COVID-19 shall be paid basic pay, accommodation, food, and medical (sickness, accident, D&D) at principal/ employer's cost, until he reaches the point of hire in accordance with existing Philippine protocols on OFW repatriation.
4. A seafarer who has departed from the point of hire but cannot join the ship and/ or cannot be repatriated for reasons related to COVID-19 and is in a quarantine facility shouldered by the principal/employer, shall be paid basic pay, accommodation, food, and medical (sickness, accident, D&D) at principal/ employer's cost until the seafarer joins the vessel or arrives at the point of hire.
5. A seafarer who has completed his period of contractual service onboard but cannot be repatriated, has not signed off and who is not working while his/her replacement is already onboard, shall be paid basic pay, accommodation, food, and medical (sickness, accident, D&D) at principal/ employer's cost, until the seafarer arrives at the point of hire.
6. A seafarer who has completed his period of contractual service onboard and has signed off, but cannot be repatriated and is ashore, shall be paid basic pay, accommodation, food, and medical (sickness, accident, D&D) at principal/ employer's cost, until the seafarer arrives at the point of hire.
7. A seafarer who is discharged for just cause that is not related to COVID-19 and is stranded, shall be provided accommodation, food, medical (sickness, accident, D&D) at principal/ employer's cost, until the seafarer arrives at the point of hire. The principal/ employer shall be allowed to recover any associated cost in accordance with the employment contract or the Collective Bargaining Agreement (CBA).
8. A seafarer who is repatriated to the point of hire but is not yet home and is in quarantine shall be provided accommodation and food at principal/employer's cost, unless otherwise provided by the government.


RESOLVED FINALLY, that henceforth, the POEA Administrator is hereby directed to issue the appropriate circular to implement this Interim Guidelines as well as related special concerns after tripartite consultations.

Done in the City of Manila, Philippines, this 8th day of September 2020.


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BY CRD ON SEP 14 2020




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



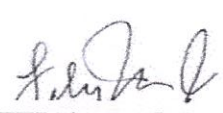
BERNARD P. OLALIA
Administrator and
Vice- Chairperson of the POEA Governing Board



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 SEP 14 2020