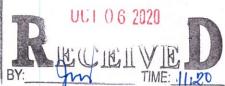


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## MEMORANDUM CIRCULAR NO. 2 2 Series of 2020



**FOR** 

ALL CONCERNED LANDBASED LICENSED RECRUITMENT

**AGENCIES** 

SUBJECT

GUIDELINES ON THE ISSUANCE OF CERTIFICATION AS SENDING ORGANIZATION FOR THE JAPAN TECHNICAL INTERNSHIP TRAINING PROGRAM (TITP) AND SPECIFIED

SKILLED WORKERS (SSW)

DATE

29 September 2020

This issuance is pursuant to the implementation of the Memorandum of Cooperation (MOC) on the Japan Programs for Technical Intern Training Program (TITP) and Specified Skilled Workers (SSW) signed by the representatives of both Japan and Philippine governments. The following guidelines are hereby issued on the issuance of Certificate:

#### I. COVERAGE

These guidelines shall cover all qualified landbased licensed recruitment agencies participating in the Japan TITP and SSW programs.

#### 11. REQUIREMENTS FOR THE ISSUANCE OF CERTIFICATE

The licensed recruitment agency shall submit the following documentary requirements at the Employment Regulation Branch:

- 1. Letter of intent from the POEA licensed recruitment agency to participate as approved sending organization for the Japan TITP and SSW programs;
- Dully filled-out Outline of Approved Sending Organization (Attachment 2 2. of the MOC between the governments of the Philippines and Japan)
- 3. Notarized Affidavit of Undertaking on the following essential portion of the MOC based on the attached standard format to be executed by the official representative/president/CEO of the licensed recruitment agency:
  - a. Affidavit of Declaration of Fees
  - b. Affidavit of Approving Standards for Sending Organization
- 4. Clearance issued by the Anti-Illegal Recruitment Branch of POEA;

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5. Clearance issued by the National Bureau of Investigation (NBI) of the Proprietor/Partners/all members of the Board of Directors and Officers of the licensed recruitment agency. For its board members who are foreigners, a duly authenticated police clearance from his/her country of origin OR similar government issued document in Japan. If they have been sentenced to imprisonment or more severe penalty in Japan or in the Philippines, at least five (5) years have elapsed after the penalty had been completed or the penalty has been exempted from execution.

### III. VALIDITY OF CERTIFICATE

The Certificate as sending organization for both TITP and SSW shall be valid during the duration of the effectivity of the MOC between the government of Japan and Philippines which will expire on 26 November 2022. Henceforth, the certification shall be renewed upon compliance with the required documents enumerated above.

#### IV. DISQUALIFICATION AS APPROVED SENDING ORGANIZATION

POEA shall institute appropriate administrative proceedings and or criminal action against the licensed recruitment agencies found to be violating the TITP and SSW guidelines and POEA 2016 Revised Rules and Regulations. Violators will be automatically removed from the list of approved sending organizations.

# V. PERIODIC SUBMISSION OF THE LIST OF APPROVED SENDING ORGANIZATION

The POEA shall periodically submit to the concerned government offices in Japan an updated list of qualified licensed recruitment agencies.

All previous issuances inconsistent herewith are hereby repealed or modified accordingly.

For strict compliance.

BERNARD P. OLALIA
Administrator

BY CRD ON OCT 0 6 2020

# AFFIDAVIT OF UNDERTAKING OF APPROVING STANDARDS FOR SENDING ORGANIZATION

I, busin	(NAMI ess addi	<u>)</u> , of legal age, single/married, Filipino, a resident of, Philippines with official ress at after having been subscribed to an oath, depose and say:
l.	organiz	m the incumbent <u>(position of affiant)</u> of <u>(name of agency)</u> , a domestic corporation ed under Philippine Laws, and a duly licensed recruitment agency as per License No issued by ippine Overseas Employment Administration with license valid until;
1.	organiz	s a licensed recruitment agency, we requested the POEA to issue in our favor a Certificate as sending ation as a requirement under the Japan Technical Intern Training Program (TITP) and Specified Skilled (SSW);
l.		my capacity as <u>(position of affiant)</u> of <u>(name of agency)</u> , I hereby declare and a the full responsibility of the following, among others:
	1.	To select and deploy to Japan only medically fit and competent workers pursuant to my Undertaking in the conditions for issuance of license which workers are qualified and motivated to engage in the TITP/SSW program and will contribute to the economic development through application of achievement upon return to the Philippines;
	2.	To provide necessary support to the returning workers such as possible employment or reintegration locally in order to utilize the technical skills they acquired;
	3.	To appropriately respond to the requests from the concerned Japan Ministry of Justice, Foreign Affairs, Health, Labour and Welfare relative to the implementation of the TITP/SSW for the protection of the workers. Requests may include cooperation on follow-up surveys for returning workers after completion of the program.
	4.	To carry out any projects in accordance with the laws and regulations of the Philippines;
	5.	<ul> <li>That we, as the sending organization and our board members have never conducted any of the following acts within the preceding five (5) years:</li> <li>a) Managing money or other properties of workers and candidates, their relatives or other persons concerned, whether by collecting deposits or any other means, in connection with TITP and SSW Program;</li> <li>b) Concluding any contracts that impose monetary penalties or other properties that expect undue transfer of money or for the violation of the contracts in relation to TITP and SSW Program;</li> <li>c) Human rights infringements against workers and candidates such as assaults, intimidations, and restrictions of freedom; and</li> <li>d) With regard to the procedures of the TITP and SSW Program as well as the immigration program of Japan, to use or provide forged, altered or false documents, pictures or drawings with the intention of obtaining permissions fraudulently.</li> </ul>
	6.	That in coordinating applications for TITP/SSW Program for Japanese supervising/accepting organizations, we confirm with worker candidates, their relatives or other persons concerned have never been involved in the acts set out in (a) and (b) of paragraph (5);
	7.	That in acknowledging the importance of addressing disappearance of workers, we will cooperate with Japanese supervising/accepting organizations and make efforts to prevent workers from disappearing;
	8.	To have other necessary capacities to appropriately coordinate applications for TITP/SSW Program to supervising/accepting organizations in Japan.
	9.	That pursuant to the Undertaking as a condition for the issuance of POEA license, the sending organization shall deploy trainees/workers to Japan who are appropriate to engage in work. Breach of such Undertaking shall result to revocation of its approval as sending organization and shall be communicated to Japan side.
		(Affiant)

## AFFIDAVIT OF DECLARATION OF FEES

I.	I,(NAME), of legal age, single/married, Filipino, a resident of, Philippines with official business address at after having been subscribed
	to an oath, depose and say:
II.	That am the incumbent(position of affiant), of (name of agency), a domestic corporation organized under Philippine Laws, and a duly licensed recruitment agency
	as per License No issued by the Philippine Overseas Employment Administration;
111.	That as a licensed recruitment agency, we requested the POEA to issue in our favor a Certificate which is a requirement under the Technical Intern Training Program (TITP) and Specified Skilled Worker (SSW) of Japan;
IV.	That in my capacity as <u>(position of affiant)</u> of <u>(name of agency)</u> , that I hereby declare and assume the full responsibility of the following stated documentation fees in relation to the recruitment and placement of Filipino trainees under the TITP AND SSW of Japan:
	a. Fees/Costs Assumed by the Workers for the following documents:
	1. Passport
	<ol> <li>NBI/Police/Barangay Clearance</li> <li>NSO authenticated birth Certificate</li> </ol>
	4. Transcript of Records and Diploma Issued by the school. Certified by the
	CHED and authenticated by DFA.
	<ol><li>Professional license issued by the PRC, authenticated by the DFA;</li></ol>
	<ol> <li>Certificate of Competency issued by TESDA or other competent certifying body for the job applied for; and</li> </ol>
	<ol> <li>DOH prescribed medical/health examination</li> <li>Membership with Philhealth, Pagibig and Social Security System</li> </ol>
	b. Fees/Costs Assumed by the Supervising Organization for the following documents:
	1. Visa, including stamping fee
	<ol> <li>Round trip airfare</li> <li>Transportation from the airport to the jobsite</li> </ol>
	4. POEA processing fee
	5. OWWA membership fee
	6. Training fee
	<ol> <li>Additional trade test/assessment, if required by the supervising/accepting organization</li> </ol>
V.	That the above documentation fees is publicly available and was explained in detail to the workers/candidates and was sufficiently understood.
VI.	That no placement fee shall be charged against the trainees/candidates.
	<del></del>
	(Affiant)