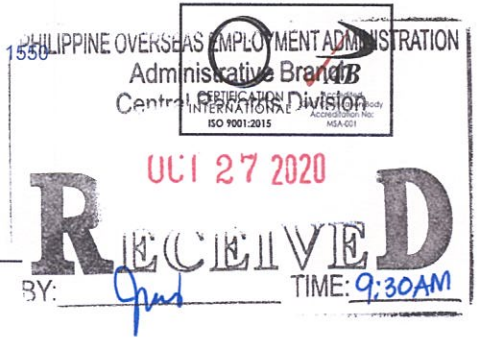




Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
BFO Building, Ortigas Avenue cor. EDSA, Mandaluyong City 1550
Website: www.poea.gov.ph E-mail: info@poea.gov.ph
Hotlines: 8722-1144, 8722-1155



MEMORANDUM CIRCULAR No. 28
Series of 2020

TO : All POEA Licensed Manning Agencies, Principals/ Employers, and Shipowners

SUBJECT : Implementation of the 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

Pursuant to POEA Governing Board Resolution (GBR) No. 13, Series of 2020, which adopted an *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*, this Memorandum Circular is hereby issued directing all concerned to implement the following:

I. *Coverage.* This Memorandum Circular covers all Filipino seafarers that will board all types of vessels for overseas employment, including fishing vessels.

II. *Implementation.* The POEA Pre-Employment Services Office, through the Seabased Employment Accreditation and Processing Center (Seabased Center), is hereby directed to operationalize the Seafarer Green Lane and implement the provisions concerned with seafarer deployment contained in this Memorandum Circular. The Seabased Center is further authorized to require documentary requirements that correspond to the obligations of the principal or the manning agency contained in this Memorandum Circular, as necessary.

The Welfare and Employment Office, through the Welfare Services Branch (WSB), shall perform the monitoring, conciliation, and repatriation assistance services in line with the welfare provisions stated herein.

III. *Facilitated Deployment and Repatriation of Seafarers during the COVID-19 Pandemic.* To ensure the unhampered deployment of Filipino seafarers during the national state of emergency, pertinent provisions of the *Revised Rules and Regulations Governing the Recruitment and Employment of Seafarers of 2016* are temporarily held in abeyance in favor of the following:

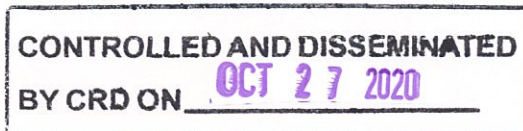
1. A seafarer who has signed an employment contract but cannot be deployed from the point of hire due to COVID-19 related reasons that are not attributable to the seafarer, such as but not limited to flight cancellation, or change in the appropriate Philippine or foreign government regulations, shall be provided accommodation and food at principal/employer's cost, unless otherwise provided by the government,

CONTROLLED AND DISSEMINATED
BY CRD ON OCT 27 2020

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, 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.

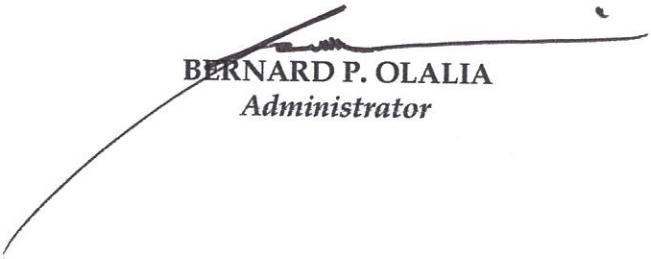
IV. *Applicability of Health Standards, Quarantine Protocols and Immigration Formalities.*
This Memorandum Circular shall be implemented consistent with applicable health standards, quarantine protocols, as well as immigration formalities in the Philippines, in transit countries and in countries where the Filipino seafarer will join vessel.



V. *Effectivity.* This Memorandum Circular shall be in line with the Interim Guidelines that effectively amends and suspends existing policy and shall be applied until 15 March 2022, unless otherwise extended or earlier terminated, as determined through a tripartite consultation.

The provisions of this Memorandum Circular shall be applied consistent with the effectivity of GBR No. 13 Series of 2020.

For strict compliance.


BERNARD P. OLALIA
Administrator

____ October 2020

CONTROLLED AND DISSEMINATED
BY CRD ON OCT 27, 2020