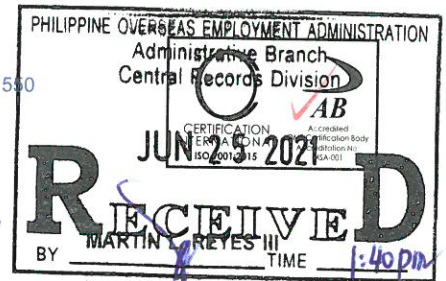




Philippine
Overseas
Employment
Administration

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Department of Labor and Employment
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Hotlines: 8722-1144, 8722-1155



MEMORANDUM CIRCULAR NO. 14
Series of 2021

TO : All Concerned

SUBJECT : Interim Guidelines on the Facilitated Processing and Issuance of Overseas Employment Certificates (OECs) for Domestic Workers (DWs) and other Low/Semi-Skilled Workers

Pursuant to the Revised Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 and Resolution No. 36, Series of 2020 of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases directing the government offices and agencies involved on the processing of the deployment of Overseas Filipino Workers (OFWs) to establish "Green Lane" to enable their prompt processing and deployment, the following interim guidelines are hereby issued for the facilitated processing and issuance of the OECs for Domestic Workers (DWs) and other low/semi-skilled workers during the declared State of Calamity in the Philippines:

I. COVERAGE

These guidelines shall cover the contract processing and documentation for the issuance of OECs by qualified licensed Landbased Recruitment Agencies (LRAs) of their newly-hired DWs and other low/semi-skilled workers. This is also a part of an incentive scheme given to LRAs for their continued good standing and maintaining ethical recruitment standards in the deployment of the aforesaid workers.

These interim guidelines shall be in effect until the declared State of Calamity in the Philippines has been lifted.

II. QUALIFICATIONS

LRAs shall be allowed to participate in the facilitated processing and issuance of OEC for newly-hired DWs and other low/semi-skilled workers only upon compliance with the following:

- a. The LRA has no more than three (3) pending recruitment violation cases;
- b. The LRA has no more than five (5) pending repatriation cases;
- c. The LRA has timely submitted its Letter of Intent; and
- d. The LRA has executed a notarized Affidavit of Undertaking of the following nature whichever is applicable:
 - Affidavit of Undertaking for Sole Proprietorship Agency (attached as Annex "A");

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- Joint Affidavit of Undertaking signed by all Partners or Directors, (attached as Annex “B”); or
- Affidavit of Undertaking signed by representative duly authorized by its Board to enter into the undertaking and participate in the program. A secretary’s certificate and the corresponding Board Resolution must be attached to it (attached as Annex “C”).

In pursuit of and in recognition of the commitment of the Administration to the principles of Ease of Doing Business (EODB), LRAs may submit the documentary requirements in items “c” and “d” to Office of the Deputy Administrator for Employment and Welfare for verification with the Adjudication Office (AO) and the Repatriation Unit (RU) of their compliance to items “a” and “b”. Subsequent evaluation and assessment would also be accomplished by the Landbased Center (LBC).

Pre-qualified LRAs shall be endorsed to the Administrator for approval. The Administrator may impose other criteria he may deem necessary that would warrant approval of the application.

To ensure strict compliance with the National Certificate II (NC II) requirement, the provisions of Memorandum Circular No. 10, Series of 2021 are not applicable, and therefore only DWs with NC II issued by the Technical Education and Skills Development Authority (TESDA) and OFW Information Sheet will be allowed for processing under this facilitated scheme.

The deadline for submission of documents and approval of agencies will be in following batches:

First Batch	from 05 to 09 July 2021
Second Batch	from 13 to 19 August 2021

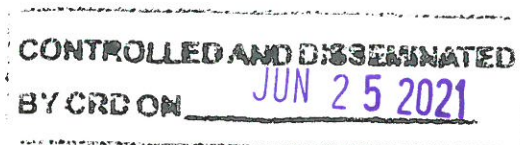
III. PROCESSING OF OEC AND POST-EVALUATION OF DOCUMENTS

The qualified LRA will be allowed to process the documents of their workers through the POEA On-line Processing System for Landbased (POPS-LB) and immediately pay the fees for the issuance of the OEC. The Information and Communications Technology (ICT) Branch will make the necessary adjustment in the POPS-LB to effectively implement the facilitated process.

Thereafter, the LRA shall submit within the period provided by the LBC, but shall not be more than twenty-four (24) hours from the issuance of the OEC the appropriate documents under Section 117 or 118 of the Revised Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 to the LBC for evaluation.

Only applications with verified and complete documents, without discrepancies, can be processed under the facilitated processing. For any processing that will need manual evaluation, the participating pre-qualified LRAs must process it through the usual manual processing subject to appropriate LBC evaluation and approval.

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The pre-qualified LRAs are strongly advised and warned to submit only genuine and legitimate documents and to make no misrepresentation in any of the information to be provided and submitted. Any acts of misrepresentation, reprocessing, fraud and other similar acts committed by the LRA shall be endorsed by the LBC to the AO for the filing of appropriate administrative case against the LRA or cancellation of their access under the facilitated issuance system.

LRAs, which opt not to use the facilitated processing system, or are disqualified, must undergo the usual process and manual evaluation prior to the issuance of OEC.

IV. ON-LINE ORIENTATION SEMINAR

All those who will be pre-qualified must undergo an orientation seminar to be conducted by the LBC to equip LRAs' processing staff on the proper self-evaluation and screening of documentary requirements prior to on-line processing of OECs. LBC shall submit the list of attendees to the Office of the Deputy Administrator for Welfare & Employment for documentation purposes.

LBC is likewise directed to issue their advisory on the corresponding documentation requirements for OEC processing.

V. AMENDMENT OF INFORMATION

The LRA concerned may, at any time, make necessary amendment in order to correct the employer's information in cases of minor typographical error. However, for any discrepancy involving the information of the worker, the agency should coordinate with the Manpower Registry Division (MRD) of the Employment Branch to effect the required corrections.

VI. DISQUALIFICATION

The LRA shall be subject to regular audit and/or inspection by the Administration to ensure compliance with the prescribed guidelines and shall be required to submit to the Director of the Landbased Center a monthly report on OEC utilization.

As an incentive/privilege given to qualified LRAs in good standing, the Administration reserves the right to suspend the facilitated processing by a LRA for the following:

1. Failure to comply and maintain the continuing requirements mentioned in the item II Qualifications;
2. Late submission of documents for Post-Evaluation;
3. Finding of any acts of misrepresentation, reprocessing, fraud and other similar acts during the Post-Evaluation;
4. Any instance of deferred departure; and
5. For any other analogous/similar grounds that the Administrator may so determine.

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VII. VALIDITY AND EFFECTIVITY

The implementation of the relevant provisions of the 2016 POEA Rules and other issuances inconsistent with the foregoing guidelines are hereby temporarily suspended.

These guidelines shall be implemented only during the period of declared State of Calamity pursuant to Presidential Proclamation No. 1021, Series of 2020 or unless otherwise shortened or extended by the Administrator.

This Circular shall take effect immediately.

For strict compliance.



BERNARD P. OLALIA
Administrator

25th June 2021

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BY CRG ON JUN 25 2021

AFFIDAVIT OF UNDERTAKING

I, (name of sole proprietor/managing partner), for and in behalf of (licensed recruitment agency), after having been duly sworn to in accordance with law, hereby declares and undertakes the following:

1. That our agency guarantees that all the information encoded for e-submission are true, accurate and complete;
2. That all the documents to be submitted are genuine and all the information provided are free from any form of misrepresentation and are not intended to circumvent any provision of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers as well as other related issuances;
3. That our agency shall strictly comply with the post-submission and evaluation of the documentary requirements within twenty-four (24) hours from the processing and issuance of the Overseas Employment Certificate (OEC);
4. That our agency acknowledges that failure to comply and maintain the continuing requirements mentioned in Item II (Qualifications) of POEA Memorandum Circular No. _____, Series of 2021, shall result in our automatic disqualification from participating in the facilitated OEC processing and issuance; and
5. That our agency is fully aware of the repercussions and corresponding liability for misrepresentation under the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____ 2021, in _____, Philippines.

Affiant

SUBSCRIBED AND SWORN to before me this _____ day of _____ 2021 in _____, by affiant, known to me to be the same person who executed and personally signed the foregoing instrument before me and avowed under penalty of law to the whole truth of the contents of said instrument.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021

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JOINT AFFIDAVIT OF UNDERTAKING

WE, (names of the Members of the Board of Directors), for and in behalf of (licensed recruitment agency), after having been duly sworn to in accordance with law, hereby declare and undertake the following:

- 1. That our agency guarantees that all the information encoded for e-submission are true, accurate and complete;
2. That all the documents to be submitted are genuine and all the information provided are free from any form of misrepresentation and are not intended to circumvent any provision of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers as well as other related issuances;
3. That our agency shall strictly comply with the post-submission and evaluation of the documentary requirements within twenty-four (24) hours from the processing and issuance of the Overseas Employment Certificate (OEC);
4. That our agency acknowledges that failure to comply and maintain the continuing requirements mentioned in Item II (Qualifications) of POEA Memorandum Circular No. ____, Series of 2021, shall result in our automatic disqualification from participating in the facilitated OEC processing and issuance; and
5. That we are fully aware of the repercussions and corresponding liability for misrepresentation under the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers.

IN WITNESS WHEREOF, we have hereunto affixed our signatures this ____ day of ____ 2021, in ____, Philippines.

Director Director
Director Director
Director

SUBSCRIBED AND SWORN to before me this ____ day of ____ 2021 in ____, by affiants, known to me to be the same persons who executed and personally signed the foregoing instrument before me and avowed under penalty of law to the whole truth of the contents of said instrument.

Doc. No. ____;
Page No. ____;
Book No. ____;
Series of 2021.

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BY ORD ON JUN 25 2021

AFFIDAVIT OF UNDERTAKING (by authorized individual)

I, (President/CEO/Board Member), being the duly authorized individual under the Attached Secretary's Certificate and/or Board Resolution to execute, for and in behalf of (licensed recruitment agency), the undertaking required pursuant to POEA Memorandum Circular No. ____, Series of 2021, after having been duly sworn to in accordance with law, hereby declares and undertakes the following:

1. That our agency guarantees that all the information encoded for e-submission are true, accurate and complete;
2. That all the documents to be submitted are genuine and all the information provided are free from any form of misrepresentation and are not intended to circumvent any provision of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers as well as other related issuances;
3. That our agency shall strictly comply with the post-submission and evaluation of the documentary requirements within twenty-four (24) hours from the processing and issuance of the Overseas Employment Certificate (OEC);
4. That our agency acknowledges that failure to comply and maintain the continuing requirements mentioned in Item II (Qualifications) of POEA Memorandum Circular No. ____, Series of 2021, shall result in our automatic disqualification from participating in the facilitated OEC processing and issuance; and
5. That our agency is fully aware of the repercussions and corresponding liability for misrepresentation under the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____ 2021, in _____, Philippines.

Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ 2021 in _____, by affiant, known to me to be the same person who executed and personally signed the foregoing instrument before me and avowed under penalty of law to the whole truth of the contents of said instrument.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

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BY CRD ON JUN 25 2021