



NEWS RELEASE

September 6, 2006

Lifting order on Sentosa valid - POEA

POEA Administrator Rosalinda Dimapilis-Baldoz yesterday said the order lifting the suspension of Sentosa Recruitment Agency was valid as she denied insinuations that the decision was based on the call she received from presidential chief of staff Michael Defensor.

Baldoz said the 2002 POEA Rules and Regulations vest upon the POEA administrator the authority to issue an order of preventive suspension (OPS) against an agency or foreign employer pending the investigation of the disciplinary action case when the evidence of guilt is strong and there is reasonable ground to believe that the continued deployment to the principal or employer will result to further violation or exploitation of Filipino workers. Under the same rules, she is authorized to lift or modify the order as the circumstances may warrant.

The order of preventive suspension against Sentosa was issued on May 24, 2006 on the basis of the endorsement from the Philippine Consulate in New York forwarding the complaints executed by 27 nurses/medical workers alleging the commission of misrepresentation and breach of contract by its employers.

Baldoz said the order lifting the suspension of Sentosa on June 2006 was based on valid reasons.

After the suspension order was issued, POEA received several letters from other applicants who expressed apprehension on the repercussions of the OPS on their deployment to the United States. In addition, the foreign principal submitted documentary evidence refuting the alleged offenses that were imputed against them.

The nurses, through their lawyer in the Philippines, have also sought the redress of their money claims by filing a case with the National Labor Relations Commission. Another complaint for discrimination was also initiated against their employer and which is pending investigation by the US Department of Justice.

"All these circumstances were taken into consideration when the suspension order was lifted," Baldoz explained. "We also took note that of the more than 200 medical workers deployed, this is the first case filed against Sentosa. Significantly, after the lifting, no additional cases have been filed against the respondents."

"The fact that all complainants are EB3 visa holders, effectively vesting them the mantle of protection afforded by the United States to all its immigrant visa holders, is an assurance that their rights and grievances will be properly addressed in the US," the POEA administrator added.

Baldoz emphasized that POEA will continue to exercise its jurisdiction over the offenses allegedly committed by the foreign employer and its deploying agency pursuant to its mandate to protect the rights and welfare of OFWs.

"We will not hesitate to apply the full force of the law against agencies and employers found to have violated our rules to the prejudice of our OFWs." Baldoz added.

Baldoz said she directed the POEA Adjudication Branch to prioritize the resolution of the Sentosa case. END