

REVISED MEASURES TO FURTHER IMPROVE PROTECTION MECHANISMS IN THE DEPLOYMENT OF HOUSEHOLD WORKERS

POEA DEPARTMENT ORDER NO. 13, s. 1994, February 05, 1994

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With reference to Governing Board Resolution No. 9, Department Order No. 25 and Department Order No. 25-A, Series of 1993, the measures prescribed therein are hereby revised to incorporate the recommendations of the various sectors concerned in the deployment of household workers.

Coverage.

This Order shall cover all persons, male or female, who shall render domestic or household service abroad under contract for compensation.

Application.

This Order shall apply to all host markets taking cognizance of regional peculiarities in the hiring and documentation process not inconsistent herewith.

A

Philippine Overseas Employment Administration (POEA)

1. Operationalization of the Household Workers Center - The POEA shall establish and operate the Household Workers Center (HWC) which shall take charge of the following functions:

- a. Supervision of a nationwide registration of qualified household workers through a program of training and/or skills test conducted by the NMYC or its accredited testing centers;
- b. referral of applicants from its pool to agencies qualified to deploy household workers whenever necessary;
- c. accreditation of foreign placement agencies/principals;
- d. processing of employment contracts;
- e. computerized monitoring of registration, status of application, worker deployment and arrival on site;
- f. provision of coordinative assistance for necessary post-deployment welfare services.

2. Participation of Private Agencies and Entities in the Deployment of Household Workers - All private licensed agencies and entities shall be qualified to participate in the deployment of household workers in accordance with the following requirements:

- a. number of years of active operation
- b. proof of market prospects on approved job orders for household workers
- c. track record for the past two (2) years involving adjudication and welfare cases
- d. additional Cash Bond in escrow in the amount of one hundred thousand pesos (P100,000.00) on a per

market/country/basis

e. Affidavit of Undertaking by the agency indicating the following additional responsibilities over its deployed household workers and ensuring compliance by its foreign employers/principals of requirements under this Order:

e.1 Agency responsibility:

e.11 In sourcing and deployment of duly registered household workers only;

e.12 For the authenticity of documents being presented such as passport, medical certificate and others.

e.2 Agency commitment to eventually set-up liaison/welfare office in areas where there is concentration of their hired workers.

3. Accreditation of Foreign Placement Agencies/Principals - a. All foreign placement agencies/principals shall undergo pre-qualification by Philippine Overseas Labor Officers (POLOs) in the jobsite for which a pre-qualification certificate, valid for not more than one year, shall be issued accordingly.

b. POEA shall accredit foreign placement agencies on the basis of the following:

- submission of a pre-qualification certificate issued by the Philippine Labor Attache

- posting of a minimum cash bond of P100,000.00 for every hiring of not more than fifty (50) workers. Such cash bond, deposited in escrow in a Philippine bank in favor of POEA, shall answer for valid and legal claims of their hired workers.

- Processing of Employment Contracts - Philippine agencies qualified to participants in the Special Hiring Program for household workers shall submit the following documents to the Household Workers Center:

- a. Authenticated Special Power of Attorney (SPA)

- b. Verified Manpower Request

- c. Verified POEA prescribed individual employment contract which shall contain useful employer particulars and additional terms and conditions as maybe prescribed.

- d. Joint Affidavit of Undertaking by the foreign placement agency/principal and Philippine agency:

- d.1

assuring faithful implementation of the Employment Contract;

- d.2

ensuring that the household worker is allowed by the Employer to notify immediately the Philippine Embassy of his/her arrival and may be visited regularly by the POLOs or appropriate Embassy staff;

- d.3

allowing the worker to participate in skills enhancement program at the Philippine Embassy.

- e. Affidavit of Undertaking from the Philippine agency guaranteeing compliance of the worker with the prescribed minimum age for female household workers.

- f. Trade Test Certificate

- g. Letter of Endorsement from the Secretary of Labor entrusting the worker to the employer

h. PDOS Certificate

5. Appointment of Philippine Agents - Foreign placement agencies/principals participating in this program shall be allowed to appoint more than one Philippine agent subject to compliance with the rules prescribed for this purpose.

6. Name-Hire Processing - Name-hired household workers shall be processed by the HWC only for the following:

- a. Hirings by immediate members of the family of heads of state/government;
- b. Hirings by Ministers/Deputy Ministers and other senior government officials of the host country;
- c. Hirings by senior officials of the diplomatic corps and duly recognized international organizations.

7. Orientation Seminar for Household Workers - The POEA shall undertake an intensive Pre-Employment Orientation Seminar (PEOS) for household workers which shall be integrated in the training curriculum to be instituted by NMYC and its duly recognized training centers. Likewise the Pre-Departure Orientation Seminar (PDOS) shall be undertaken by POEA and duly accredited NGO's in coordination with DOLE, NMYC and OWWA regional offices.

8. Departure-Arrival Monitoring - The POEA shall ensure that the POLOs are duly informed of the deployment of household workers on a regular basis to enable the POLOs to institute effective monitoring of these workers.

9. Disqualification from The Hiring Program - Violations of any of the conditions set forth in this Order shall, after due investigation, result in the disqualification of the agency and/or principal in this Hiring Program and a suspension of the license of the erring agencies for (3) months.

B

National Manpower Youth Council (NMYC)

1. Training of Household Workers - The NMYC shall establish a standard training curriculum for household workers which should include a Home Management Course, Value Orientation, and Pre-Employment Orientation. The standard training curriculum shall be adopted by training centers wishing to participate in this program under the supervision and authority of the NMYC.

2. Trade-testing - All household workers wishing to work abroad shall be required to pass the trade test instituted by NMYC or any of its accredited trade testing centers. Household workers who pass the trade-test may not undergo full training except Value Orientation, and Pre-Employment Orientation Seminar (PEOS).

Household workers previously trained and trade tested by NMYC shall automatically qualify as members of the pool.

C

Overseas Workers Welfare Administration (OWWA)

1. Production of Print and Audio Visual Materials - The OWWA in collaboration with POEA and the POLOs, shall prepare information materials on all countries of destinations which shall focus on the socio-cultural environment and pertinent laws of receiving countries.

Information materials intended for the employers understanding of their contractual and moral obligations over their hired Filipino household worker shall also be developed.

2. Conduct of Basic Foreign Language Courses - As part of the workers' education, basic foreign language courses shall be made available to ready-to-leave household workers.

3. Development and Coordination of Welfare Programs for Household Workers for Implementation at the Overseas Center

D

Bureau Of Local Employment (BLE)

The BLE shall operationalize a national registry of household workers in accordance with the guidelines set forth by POEA. The BLE shall coordinate with POEA's HWC in order for qualified agencies to have access to such national registry.

E

Philippine Overseas Labor Officers Corps (POLOs)

The POLOs shall take special responsibility over the social welfare programs necessary for household workers in accordance with the peculiar needs of these workers in each country. Along this objective, the POLOs shall:

1. Monitor the entry and departure of household workers in their respective areas.
2. Conduct skills enhancement programs at the welfare center or at the Embassy as the case maybe, together with NGOs and Filipino communities.
3. Implement welfare programs onsite.
4. Monitor and assess the welfare services of private recruitment agencies and entities onsite.
5. Implement a pre-qualification system for foreign placement agencies as principals.
6. Together with POEA and OWWA, assist in the development of an employer education and orientation program.
7. Submit periodic performance evaluation reports on foreign placement agencies/principals.

For purposes of implementation of this Order, the concerned Offices are hereby directed to issue their respective implementing guidelines not later than fifteen (15) days from issuance of this Order.

All other issuances inconsistent with this Order are hereby repealed.

This Order takes effect fifteen (15) days from the date of publication.

Adopted: 5 Feb. 1994

(SGD.) MA. NIEVES R. CONFESOR
Secretary

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