GUIDELINES IMPLEMENTING THE MINIMUM AGE REQUIREMENT FOR FEMALE OVERSEAS HOUSEHOLD WORKERS

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Pursuant to Governing Board Resolution No. 02, Series of 1994 ordering that a minimum age be prescribe for female household workers being deployed overseas, the following guidelines are hereby issued:

SECTION 1. Minimum Age - Female household workers going overseas shall not be less than twenty five (25) years of age.

SECTION 2. Exemptions

a. The minimum age requirement shall not apply to countries where the age requirement is higher than 25 years.

b. The exemption shall also apply to host countries where all of the following conditions are present:

1) the terms and conditions of employment of household workers are superior to Philippine minimum standards, or

2) protection for household workers is assured by legislation, or

3) Concrete and adequate protective mechanisms for household workers are in place.

SECTION 3. Processing Requirements for Worker Documentation - The deploying agency shall be held responsible for ensuring compliance with the prescribed minimum age. As such, it shall execute and submit as an additional requirement for processing, an Affidavit of Undertaking guaranteeing compliance of the worker with the prescribed minimum age for female household workers.

SECTION 4. Pipeline Accounts - POEA shall continue to process employment contracts in the pipeline or those duly authenticated by the Labor Attache/Philippine Embassy/Consulate as of February 28, 1994.

SECTION 5. Agency Responsibility/Penal Clause - It shall be the responsibility of the deploying Philippine recruitment agency to conduct a through check on the real age of its hired female household workers.

The Administration shall order the suspension of documentary processing of an agency where there is prima facie evidence against the latter for failing to comply with the prescribed minimum age. An Order of Suspension of License or a fine or both shall be imposed upon an agency adjudged to have violated this rule on faithful compliance with the prescribed minimum age. The duration of suspension and/or amount of fine to be imposed shall be determined by the Administration consistent with existing rules and regulations on overseas employment.

A sanction of two months suspension of the license of the agency or fine or both for every violation committed shall be imposed.

SECTION 6. Periodic Policy Review - The DOLE/POEA shall conduct a periodic review of this policy and shall recommend/implement modifications, additions, amendments, if warranted.

This Circular takes effect immediately and shall be complied with strictly.

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