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# GUIDELINES IN THE DELIVERY OF WELFARE SERVICES BY THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) AND OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA) TO OVERSEAS FILIPIN...

*POEA-OWWA JOINT CIRCULAR NO. 02, S. 2002, March 19, 2002*

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I. Purpose

This circular is issued in compliance with the transitory provision of the Revised POEA Rules and Regulations to transfer the POEA Welfare Services to OWWA within three months from the effectivity of said Rules (Part IX, Sec. 1, POEA Revised Rules) and to clarify their respective roles pursuant to their mandate.

The specific aim is to delineate the welfare services related functions of POEA and OWWA to eliminate gaps and overlaps which are creating confusion among the public.

This circular is however without prejudice to the directives and issuances defining official roles and responsibilities of other agencies and officials of the DOLE.

II. General Guidelines

In order to achieve the common objectives, the respective offices shall provide assistance to OFWs as follows:

A. The OWWA shall:

1. Conciliate complaints of workers who are still at the jobsite, and/or their families arising out of the following cases, under the supervision of the Labor Attache:

a. Contract violations involving OFWs on-site, such as:

— non-payment of salaries

— non-payment of employment benefits

— delayed salaries

— delayed allotment

— reduction/underpayment of salary

— non-payment of overtime work/rest day

— illegal work

— poor working conditions

— job substitution

— finished contract — unable to come home



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— breach of contract

— termination of employment

— other related cases

b. Common Welfare Problems of OFWs on site, such as:

— tracing of whereabouts

— non-communication

— sexual abuse/rape

— maltreatment/mistreatment

— sexual harassment

— detained

— unfetched worker

— accident

— accident benefits

— medical sickness/hospitalization/outbreak of epidemic

— apprehended/arrested

— claim for medical/sickness benefits

— assistance for issuance of exit visa

— claim for death benefits

— request for death report

— request for police report

— request for official documents (police clearance)

— medical repatriation

— claim for airfare expenses

— request for hold departure of OFW

— non-remittance of allotment by OFW

— non-issuance of work and residence permits (IQAMA)

— gender problems

— request for replacement

— overstaying

— prostitution

— human trafficking


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— request to relay message to OFW

— other problems

2. Assist in requests for assistance/case involving seafarers who are still on board the vessel;

3. Undertake the repatriation of workers, remains and transport of their belongings under the following circumstances:

a) Incapacity/inability of licensed agencies/employers to repatriate without prejudice to seeking recourse against them;

b) In cases where the principals/recruitment agencies cannot be identified;

c) In cases of war, epidemic, disasters or calamities, natural or man-made or other similar events;

4. Assist repatriated OFWs at the airport/seaport;

5. Provide legal assistance to OFWs on-site on cases involving employer-employee relationship in coordination with the DOLE;

6. Provide insurance coverage, burial gratuity, medicare for OFWs and dependents and other forms of financial assistance under the existing programs of OWWA;

7. Recommend the POEA matters of watchlisting or blacklisting of OFWs, foreign employers/revocation of license of agency and suspension of its documentary processing/recruitment agencies;

8. Provide human resource development, psycho-social and reintegration program for OFWs and their dependents;

9. Assist in the non-support cases/unpaid allotments;

10. Implement other welfare related projects mandated under RA 8042 and enabling acts of the agency;

11. Maintain a shared information system for coordination and efficient delivery of services.

B. The POEA shall:

1. In cases of repatriation, notify the agency concerned to provide plane ticket or Prepaid Travel Advice (PTA), under pain of administrative sanction; (Sec. 15, R.A. 8042 and Secs. 54 & 55, Implementing Guidelines).

2. Issue order for temporary watchlisting of foreign employers/principals upon recommendation by the Embassies/POLOs/OWWA and other agencies, until compliance with the laws, rules and regulations on overseas employment;

3. Impose sanctions on licensed local recruitment agencies for failure to cooperate in providing welfare assistance to OFWs they have deployed;

4. Suspend/Lift documentary suspension of processing of licensed agencies for its failure to provide PTA;

5. Issue Welfare and Employment Office (WEO) Clearance Certificates to OFWs, agencies and principals;

6. Provide technical and administrative support to the National Conciliation and Mediation Board (NCMB) in monitoring cases involving seafarers, their employers/principals that are being submitted to conciliation, mediation and voluntary arbitration, pursuant to the existing memorandum of agreement on the matter;

7. Act on Complaints of OFWs who are still at the jobsite and/or their families arising out of pre-employment and


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disciplinary cases which are administrative in character;

8. Maintain a system of referring cases to the appropriate agency which has jurisdiction over the request for assistance;

9. Monitor incidents concerning OFWs as reported by agencies pursuant to POEA MC No. 13, series of 1992;

10. Establish welfare programs and services, such as pre-employment orientation seminars (PEOS), to prevent exploitation or abuse of OFWs;

11. Assist in the collection of the cost of repatriation advanced by OWWA for the agency.

12. Maintain a shared information system for coordination and efficient delivery of services.

III. Effectivity

This circular shall take effect immediately.

**(SGD.) ROSALINDA DIMAPILIS-BALDOZ**

**(SGD.) WILHELM D. SORIANO**

AdministratorAdministratorPOEAOWWA


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