

GUIDELINES ON THE DEPLOYMENT OF WORKER-TRAINEES FOR SOUTH KOREA

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In order to facilitate the deployment and at the same time promote the welfare of Filipino trainees bound for South Korea and pursuant to Governing Board Resolution No. 07 and Department Order No. 12, Filipino worker-trainees leaving for South Korea shall be required to go through licensed private recruitment agencies and entities for proper documentation and processing at the Philippine Overseas Employment Administration.

The following guidelines shall be observed in the documentation and processing of worker-trainees.

I

DEFINITION

1. Host Company — a foreign-based company which host and provides both theoretical and on-the-job training to the trainee.
2. Worker-Trainee — a worker sent abroad on trainee visa.

II

WORKER- TRAINEE

PROCESSING/DOCUMENTATION.

1. Recruitment and processing of worker trainee documents shall be coursed through POEA-licensed agencies.
 - 1.1. Accreditation of Host Companies — Licensed recruitment agencies shall submit the following requirements for the accreditation of host companies:
 - a. Special Power of Attorney/Service Agreement authenticated by the Philippine Embassy and verified by Labor Attache
 - b. Model Worker-Trainee contract verified by Labor Attache
 - c. Certificate for Confirmation of visa issuance for Alien's Industrial Technology Training form the Korean Ministry of Justice verified by the Labor Attache.

A host company's accreditation is valid only for one year.

1.2 Processing of Training Contract — Private placement agencies/entities shall submit the following documents for issuance of exit clearance:

- Request for processing
- Info Sheet
- Individual visa or equivalent document
- Individual worker-trainee contract
- Repatriation bond

III

WORKER-TRAINEE CONTRACT

Contracts for Filipino-worker trainees shall adhere to Philippine and host country laws. A model trainee contract is attached* for reference.

IV

ORIENTATION

Pre-departure orientation of worker-trainees shall be administered by the deploying agencies as long as they have accredited in-house facilities. For agencies without accredited in-house facilities, Pre-departure Orientation Seminar can be conducted by accredited PDOS facilities.

V

JOINT AND SOLIDARY LIABILITY

For worker-trainees, the recruitment agency/entity shall execute an undertaking to assume joint and solidary liability with the host company for all claims and liabilities which may arise in connection with the implementation of the contract, including but not limited to payment of worker trainee allowance, death and disability compensation and repatriation.

VI

DISPUTE SETTLEMENT

Under the worker-trainee deployment scheme, grievance by any party affecting any of the provisions of the training contract shall be made in writing and shall be served to the concerned party. In case of failure to reach an amicable settlement, the dispute shall be elevated to the office of the Philippine Labor Attache in the host country for conciliation or to the POEA which shall have original and exclusive jurisdiction over any and all disputes or controversies arising out or by virtue of contract.

VII

ADVERTISEMENT

Advertisement for worker-trainee requirements shall be allowed by the Administration upon presentation of accreditation certificates.

VIII

APPLICABLE RULE

All matters not expressly taken up by this Circular shall be governed by existing POEA rules and regulations not inconsistent therewith.

IX

REPEALING CLAUSE

All policies, issuances, rules and regulations, inconsistent with these guidelines are hereby repealed or modified accordingly.

This Circular shall take effect immediately.

Adopted: 27 May 1993

(Sgd.) FELICISIMO O. JOSON, JR.

Administrator

* Not included here.

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