IMPLEMENTING GUIDELINES FOR THE DEPLOYMENT OF HOUSEHOLD WORKERS TO KUWAIT AND SAUDI ARABIA

POEA MEMORANDUM CIRCULAR NO. 19, S. 1997, September 24, 1997

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Pursuant to Department Order No. 19 (Series of 1997), following are the guidelines on the deployment of household workers to Kuwait and Saudi Arabia.

SECTION 1. Coverage.- This Circular shall cover household workers who shall refer to all persons, male or female who render domestic or household service abroad under contract for compensation. They shall include, among others, domestic helpers, maids, houseboys, nannies, babysitters, caregivers, caretakers, tutors, governess, cooks, sewers, beauticians, masseurs, masseuses, drivers and gardeners.
SECTION 2. Minimum Age Requirement. - Female household workers bound for Kuwait shall be at least 25 years of age while those bound for Saudi Arabia shall be at least 30 years of age.

Male household workers bound for Kuwait shall be at least 18 years of age while those bound for Saudi Arabia shall be at least 21 years of age.
SECTION 3. Qualification of Household Workers.

a. Household workers possessing basic literacy skills and experience or training for the job required shall be allowed to leave for overseas employment.

b. A standard training curriculum for household workers which focuses on Home Management Courses developed by Technical Education & Skills Development Authority (TESDA) shall be adopted by licensed agencies, training centers or private entities wishing to participate in the training program.

c. Household workers without prior experience for the job shall be required to undergo training with licensed agencies or training centers or other private entities. In addition, they shall undergo testing with testing centers accredited by TESDA. The testing certificate shall be a requirement by the POEA for processing of the employment contract.

d. Household workers with prior job experience and/or training shall be required to undergo testing with testing centers accredited by TESDA. The testing certificate shall be required for processing of the employment contract.

The literacy of the household worker shall be determined by the training / testing center.
SECTION 4. Modes of Recruitment of Household Workers.
Recruitment of household workers shall be done through:

A. Licensed Recruitment Agencies - Only Philippine licensed agencies with an in-house training program or arrangements with private entities shall be qualified to deploy household workers overseas. Such agencies shall be responsible for the sourcing and deployment of qualified household workers.

B. Direct Hiring - Filipino workers who are in the Philippines may be directly hired by the following employers:

b.1. Members of the diplomatic corps;

b.2. International organizations; and

b.3. Other employers as may be allowed by the Secretary of Labor and Employment

C. Name Hiring - Workers hired while on site shall be processed by POEA provided they obtain appropriate visas or contracts.

SECTION 5. Accreditation of Foreign Placement Agencies/Principals. - All foreign placement agencies/principals who desire to hire household workers shall undergo:

A. Pre-Qualification of Foreign Placement Agencies on Site - All foreign placement agencies/principals shall undergo pre-qualification by the Philippine Overseas Labor Office (POLO) in the jobsites. A Pre-Qualification Certificate (PQC), valid for not more than one (1) year shall be issued accordingly.

The following documents/requirements shall be submitted to the POLO:

a.1. Appropriate license issued by the host government;

a.2. Foreign placement agency's particulars to include the complete address/location, telephone/fax numbers and name and designation of authorized representative/s;

a.3. Agency mechanism for the promotion of welfare and protection of hired workers;

a.4. Affidavit of Undertaking by the foreign placement agency which shall contain the following:

a.4.1. that it will assume joint and solidary liability with the direct employer over their hired workers;

a.4.2. that it will ensure and monitor that employment contracts are faithfully implemented;

a.4.3. that within two (2) days of arrival of the worker, it shall allow the latter to advise the nearest Philippine Embassy/Consulate of his/her arrival;

a.4.4. that it will comply with additional requirements that the POLO may prescribe, as may be necessary.

B. Accreditation of Foreign Placement Agency - In order to be accredited, foreign placement agencies/principals hiring household workers shall submit the following documents:

b.1. Pre Qualification Certificate;

b.2. Verified Special Power of Attorney/Recruitment Agreement;

b.3. License to operate a placement agency;

b.4. Verified manpower request indicating the number of household workers required, specific positions, salary and qualification requirements per position and other benefits;

b.5. Master Employment Contract;

b.6. Other requirements as may be deemed necessary

SECTION 6. Processing of Employment Contracts.

A. Documentary requirements for hiring through Philippine licensed agencies - Licensed agencies authorized to deploy household workers shall submit the following requirements for contract processing:

a.1. Request for processing;

a.2. Verified POEA prescribed individual employment contract;

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a.3. Employer's particulars to include the complete address/location. A separate employer's index form shall be attached to the employment contract specifying the following details: house number, street, district, city province, office address, telephone/fax numbers (both residential and business), telex number, civil status, number of children/household members, passport number, citizenship, occupation/profession;

a.4. Photocopy of employer's passport or I.D.;

a.5. Visa/Work Permit;

a.6. Valid medical clearance;

a.7. Worker's Information Sheet;

a.8. Testing Certificate;

a.9. Other documents as may be deemed necessary

B. Documentary requirements for Direct Hires - Household workers hired directly in the Philippines shall submit the following:

b.1. Employment contract authenticated by the Philippine Embassy/Consulate and verified by the Labor Attache;

b.2. Passport;

b.3. Visa / Work Permit;

b.4. Valid medical clearance;

b.5. PDOS Certificate;

b.6. Testing Certificate

b.7. Other documents as may be deemed necessary

C. Documentary requirements for Name Hires

1. Household workers hired on site shall submit to POEA the following:

c.1.1. Employment Contract authenticated by the Philippine Embassy/Consulate, verified and duly stamped "for name hire only" by the Labor Attache;

c.1.2. Passport plus photocopies of the passport entries reflecting the departure and arrival of the household worker from the site to the Philippines,
c.1.3. Visa / Work Permit;

c.1.4. Valid medical clearance;

c.1.5. PDOS Certificate; and

c.1.6. Other documents as may be deemed necessary

2. Household workers hired on site who will not return to the Philippines shall report to the POLO and shall submit the following requirements:

c.2.1. Employment Contract;

c.2.2. Passport;

c.2.3. Proof of payment of OWWA contribution and Medicare and

c.2.4. Other requirements as the POLO may deemed necessary

All documents authenticated and verified by the Post prior to the effectivity of these Guidelines shall not be covered by the new requirements.

SECTION 7. Post-Deployment Welfare Assistance. - In pursuit of the country team effort to protect household workers deployed to Kuwait and Saudi Arabia, the Welfare and Employment Office (WEO) shall closely monitor the welfare conditions of the workers, in coordination with the Philippine Overseas Labor Officers. Philippine recruitment agencies as well as foreign placement agencies shall extend assistance in the:

a. Settlement of disputes;

b. Repatriation of household workers; and

c. Proceedings for the blacklisting/watchlisting of erring principals.

Further, licensed agencies shall be required to submit the quarterly monitoring report on the whereabouts and conditions of the household workers.

All provisions of previous circulars inconsistent with this Circular are hereby repealed.

Adopted: 24 Sept. 1997

(SGD.) FELICISIMO O. JOSON, JR.
Administrator

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