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GUIDELINES IN THE RECRUITMENT AND DEPLOYMENT OF FILIPINO WORKERS UNDER THE EMPLOYMENT PERMIT SYSTEM (EPS) OF KOREA

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Pursuant to the Memorandum of Understanding (MOU) forged between the Department of Labor and Employment (DOLE) and the Ministry of Labor (MOL) of Korea on 20 October 2006, the following implementing guidelines are hereby issued to facilitate the recruitment and deployment of Filipino Workers to Korea:

I. Registration of Applicants

- Qualifications

- Sex: Male or Female (number and ratio should be based on assigned labor quota by MOL Korea)

- Age: not more than 38 years old

- Education: at least High School graduate

- Experience: For high school graduates, at least two (2) years work experience in any kind of work; for college graduates, at least one (1) year work experience in any kind of work

- Prepared to take and pass the Korean Language Test (KLT)

- Able-bodied and physically fit (healthy and with no physical deformities in any part of the body, and with no vision/hearing impairment)

- Persons not restricted from departure from the Philippines (no pending criminal or administrative records)

- Persons not restricted to enter Korea based on Korean Immigration records

- Documentary requirements:

- valid passport (Xerox copy accepted upon presentation of original copy)

- original NBI clearance

- 2x2 colored pictures, 2 pcs.

- copy/ies of employment certificate/s

- school diploma (photocopy accepted upon presentation of original copy)

- training/skills certification (optional)

- Active Contact Numbers (landline, mobile phone numbers and email address)

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- Registration Sites

- All POEA offices (central/regional/satellite offices)

- Offsite registration centers as authorized by POEA

- Registration System and Database of EPS Registered Applicants

- Registration system will be accessible online at all registration sites.

- All applicants who submitted complete requirements shall be included in the POEA-EPS database as of the date of encoding of information.

- All applicants will be given a personal user identification data for access to the registration system.

- Database will be accessible online to all registrants for purposes of validation and updating.

- Applicants must update their profile online at least once every quarter or as may be necessary, as in change of address or contact number, skills upgrading, with corresponding submission of supporting documents, i.e. certification.

- Validity of Registration

- Applicants shall be in the active registry for one (1) year only.

- Applicants should open/visit/monitor/update their profile at least once in three months within the one year validity period. Otherwise, their profiles shall be automatically moved to the inactive POEA EPS registry.

II. Korean Language Test (KLT) Administration

- KLT shall be administered in the Philippines by the International Korean Language Foundation (IKLF) as the test agency accredited by MOL Korea.

- Test dates and sites shall be determined by MOL Korea, in coordination with the POEA, to be announced and published in leading national and local newspapers of daily circulation and in the POEA website.

- The database of registered EPS applicants shall be used for purposes of registering KLT examinees based on MOL labor quota and actual payment of examination fee.

- An examination fee of US$30.00 shall be paid in Peso equivalent (based on current foreign exchange rate) to the local bank account of IKLF.

- Test results will be announced within three weeks after the conduct of the test and published at the website of POEA (http://www.poea.gov.ph) and IKLF website (http:// www.glokorea.org).

- Validity of EPS KLT certificates shall be for two (2) years.

III. Electronic Transmission and Management of Job Seekers Roster

- Electronic Transmission of Qualified Applicants

- Only applicants who passed the KLT will undergo the medical tests within ten (10) days after the announcement of test results. No employer’s waiver or other remarks shall be acceptable for medical findings of PTB, Hepatitis, and VDRL.

- Only the profiles of KLT passers with medical test clearance issued by DOH-accredited clinics will be electronically sent to HRD Korea by POEA. Confirmation of receipt of transmitted profiles shall be sent by HRD

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Korea to POEA.

- Upon approval by HRD Korea, the profiles will be in the active roster of Filipino jobseekers for selection by registered employers. Workers' profiles shall stay in the HRD Korea Roster for a period of one (1) year.

- Applicants in the HRD Korea roster or jobseekers who were not selected within a period of one (1) year from approval of HRD Korea of their inclusion in the Roster should re-apply to be in the active roster again.

- Electronic Transmission of Employment Offers.

- Offers of employment for selected applicants will be sent electronically by HRD Korea and downloaded by POEA via the EPS website on a daily basis.

- The offers shall include the following terms and conditions of employment, i.e. name of employer, jobsite, contents of duty, salary, etc.

- POEA will immediately notify applicants with employment offers through their registered contact numbers and through the list of selected applicants to be posted in the POEA website.

- Selected applicants with offers of employment shall be given seven (7) days from receipt of advice or from the posting of the list at the POEA website to report personally to the POEA Government Placement Branch (GPB) to signify their acceptance or refusal of the offer of employment.

- Applicants may refuse an offer of employment ONCE for "incongruent work experience" and still remain in the active HRD Roster. Refusal of employment offer for the SECOND time will cause the delisting of the applicant's profile from the EPS Roster of Jobseekers at the HRD Korea.

- In any case, the offer of employment to selected applicants shall be valid only for two weeks from date of receipt by POEA of the notice from HRD Korea. Otherwise, the offer shall be automatically cancelled by HRD Korea.

IV. Documentation and Deployment of Workers with Employment Offers

- Preliminary Training

- All EPS applicants who have accepted employment offers will undergo the prescribed preliminary training for EPS Korea Workers consisting of the following courses:

- Korean Language and Culture provided by TESDA, OWWA and POEA (20 hours; P400)

- Industrial Safety provided by OSHO (7 hours; P329)

- EPS Orientation provided by POEA free of charge (3 hours)

- Pre-Departure Orientation Seminar (PDOS) provided by OWWA free of charge (4 hours)

- Training fees will be paid to the corresponding training provider before the start of the training period.

- Perfect attendance in all preliminary training modules is mandatory. Otherwise, no certificate of completion shall be issued to workers with incomplete attendance.

- Signing of Labor Contract

- The offers of employment to selected workers are sent by HRD Korea to POEA through the EPS website.

- Within two weeks upon receipt of the offer of employment, the POEA shall transmit the status of the workers acceptance or rejection to HRD Korea.

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- Only the Standard Labor Contracts (SLC) of workers who accepted the offer shall be downloaded/printed for their corresponding signature. The SLC bears the seal of the employer.

- Requirements for Visa Processing. Upon acceptance by the worker of the job offer, the employer shall apply for a work permit and HRD Korea shall apply with the Korean Immigration office for visa issuance for the selected worker. Once approved, HRD Korea shall transmit to POEA an electronic copy of the Certificate of Confirmation for Visa Issuance (CCVI). CCVI is valid for three (3) months only. Workers will be required to enter Korea within two (2) months upon issuance of the CCVI.

- Upon receipt of the CCVI, the GPB, on behalf of the selected workers, will apply with the Korean Embassy for the issuance of E-9 work visa upon submission of the following:

- A valid medical certificate bearing the “Fit to Work” remarks issued by any medical institution accredited by the Department of Health.

- Payment of the following fees:

- POEA processing fee (peso equivalent of US$50)

- OWWA contribution (P1,275)

- Philhealth Medicare premium (P900)

- Visa Application Fee (P2,500)

- Preliminary training Certificate of Completion

- Signed Standard Labor Contract

- Signed Visa Application form

V. Labor Contract Cancellation

- Contracts may be cancelled on the following grounds:

- Delay in visa processing caused by the worker due to incomplete preliminary training, failure to pay processing fees including airfare, and medical reasons.

- Withdrawal of worker for whatever reason.

- Cancellation by employer due to financial or management difficulties or hiring by employer of workers in excess of quota, etc., which shall result in the disqualification of the employer by the POEA.

- Concealment / failure of the worker to disclose prior negative immigration records in Korea (overstay, illegal entry, etc.)

b. Effects of Labor Contract Cancellation:

- For grounds that are attributable to the employer, the worker shall remain in the EPS Roster and HRD Korea shall introduce the affected workers to other employers.

- For grounds relating to delay of entry, if addressed to the satisfaction of HRD Korea, the worker will be reinstated in the EPS Roster after one (1) year from the time of deletion, subject to compliance with registration requirements.

- In case of the worker’s withdrawal, his name shall be automatically deleted from the EPS Roster of Jobseekers.

VI. Pre-Flight Briefing

- POEA will conduct Pre-flight for departing workers prior to departure. Briefing module is focused on airport procedures, assignment of team leaders, more Do's and Don't's when traveling, etc.

- Worker documents, plane tickets, uniforms and Identification Cards will be distributed during the pre-flight briefing.

- Workers with confirmed booking but who failed to leave for the jobsite on scheduled flights shall bear the penalty imposed by the airline.

VII. Worker Processing Upon Arrival at the Worksite. Hired workers will be required to undergo an on-site medical examination upon arrival in Korea. Workers who fail said medical test shall be immediately repatriated.

VIII. Areas of Responsibility for the Implementation of EPS

The Employment Branch will handle worker registration. KLT facilitation, and completion of profiles of all qualified Filipino applicants. The Information and Communications Technology Branch will handle final preparation of the applicant database using the SPAS software provided by HRD Korea and the eventual electronic submission of the complete worker information to HRD Korea through the EPS website. Downloading of the labor contract, documentation of the selected workers, preliminary training in conjunction with other agencies (TESDA, OSHC and OWWA), facilitation of workers' visa and final entry and coordination with POLO on welfare cases will be handled by the Government Placement Branch.

For strict compliance.

Adopted: 15 Jan. 2007

(SGD.) ROSALINDA DIMAPILIS-BALDOZ
Administrator

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