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GUIDELINES FOR THE LIFTING OF THE DEPLOYMENT SUSPENSION OF FILIPINO WORKERS IN THE COMMONWEALTH OF NORTHERN MARIANAS ISLANDS (CNMI)

POEA MEMORANDUM CIRCULAR NO. 31, July 01, 1996

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In order to facilitate the deployment and promote the welfare of Filipino workers bound for CNMI and pursuant to DOLE Department Order No. 13, Series of 1996 providing for the lifting of the suspension of deployment to CNMI, the following guidelines are hereby issued taking into account the systems and procedures that will ensure strict compliance with the protective mechanisms agreed upon by the governments of the Philippines and CNMI:

A

General Policies

1. The Philippine Overseas Labor Office (POLO) in Saipan shall pre-qualify licensed CNMI placement agencies and direct employers hiring Filipino workers. Pre-qualification certificates shall be issued by the POLO for this purpose.

2. Hotel workers shall be hired directly by the hotel which shall be accredited as the principal.

3. Deployment of entertainers shall be subject to the existing rules and regulations provided in Department Order No. 3, Series of 1994.

4. Entertainers shall be hired by direct employers only.

5. Household workers, farmworkers and fishermen shall be hired directly by the CNMI employer or through a licensed CNMI placement agency.

6. Accreditation certificates shall be valid for one year.

7. Pipeline Accounts. All documents verified by the Office of the Labor Attache in the CNMI prior to 01 July 1996 shall go through the regular POEA processing procedure prior to the imposition of the ban.

B

Pre-Qualification Requirements at The Philippine Overseas Labor Office (POLO)

1. Pre-qualification of Hotel Principals. The following requirements for pre-qualification shall be submitted by the employer of hotel workers to the POLO:

a. Employment contract

b. A duly notarized Affidavit of Undertaking guaranteeing to provide the following additional contract provisions to the worker:

b.1. free food or compensatory food allowance;

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b.2. free suitable accommodation and utilities such as water, electricity, among others;

b.3. free airfare to and from point of hire;

b.4. no unauthorized deductions from the workers salaries;

b.5. commencement of contract upon departure of worker

c. Employer Information Sheet

d. Business License

e. clearance from the CNMI Department of Labor and Immigration

f. Others as may be required by the POLO

2. Pre-qualification of Employers of Entertainers in bar, nightclubs, and similar establishments. The following requirements for pre-qualification shall be submitted by entertainer employers to the POLO:

a. Bond Certificate for a US$3,000 bond for the worker to answer for any claims and repatriation

b. Employment Contract

c. A duly notarized Affidavit of Undertaking guaranteeing to provide the following additional contract provisions to the worker:

c.1. free food or compensatory food allowance;

c.2. free suitable accommodation and utilities such as water, electricity, among others;

c.3. free airfare to and from point of hire;

c.4. no unauthorized deductions from the workers salaries;

c.5. commencement of contract upon departure of worker

d. Employer Information Sheet

e. Business License

f. Clearance from the CNMI Department of Public Safety and Department of Labor and Immigration

g. Others as may be required by the POLO

3. Pre-qualification of Direct Employers of Household Workers, Farmworkers and Fishermen. The following requirements for verification shall be submitted by the employer to the POLO:

a. Employment Contract

b. A duly notarized Affidavit of Undertaking to provide the following additional contract provisions to the worker:

b.1. The worker shall work exclusively for the employer and his immediate household. The employer shall in no case require the worker to work in another farm, residence or at his business establishment;

b.2. free food and suitable housing

b.3. one rest day per week

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b.4. round-trip airfare

b.5. regular working hours shall be 72 hrs/week as provided for by CNMI Law

b.6. commencement of contract upon departure of worker

c. Employer Information Sheet

d. Others as may be required by the POLO

4. Pre-qualification of CNMI Placement Agencies Hiring Household Workers, Farmworkers and Fishermen. The following requirements for pre-qualification shall be submitted by CNMI placement agencies to the POLO as a basis for the issuance of the pre-qualification certificate.

a. Employment Contract

b. Bond Certificate for a US$3,000 bond for the worker to answer for any claims and repatriation

c. A duly notarized affidavit of undertaking executed by the placement agency indicating among others the following:

c.1. that the employer shall provide the following additional contract provisions in addition to those provided in the Employment Contract:

c.1.a. The worker shall work exclusively for the employer and his immediate household. The employer shall in no case require the worker to work in another residence or at his business establishment;

c.1.b. free food and suitable housing;

c.1.c. one rest day per week;

c.1.d. commencement of contract upon departure of worker;

c.1.e. roundtrip airfare;

c.1.f. regular working hours shall be 72 hours per week as provide for by CNMI Law

c.2. the pre-qualified CNMI licensed agency shall not engage in the hiring and deployment of household workers, farmworkers and fishermen without passing through POEA.

c.3. In case of dispute between the worker and the employer, the concerned CNMI placement agency shall endeavor to settle the issue amicably with the POLO and the parties to the best interest of all parties. If the dispute is not resolved, it shall be referred to the CNMI Labor Division for adjudication.

d. Business/Agency License

e. Information sheet of the agency President

f. Clearance of placement agency from the CNMI Department of Public Safety and Department of Labor and Immigration

g. Others as may be required by the POLO

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C

Requirements for Accreditation at the POEA

The following shall be submitted by the Philippine recruitment agency to POEA for accreditation of CNMI employers (direct employers and placement agencies):

a. Pre-qualification certificate issued by the POLO

b. Verified individual employment contract with Affidavit of Undertaking

c. Verified manpower request indicating the position, salary and number of workers

d. Verified Special Power of Attorney or Recruitment Agreement

e. Bond Certificate for a US$3,000 bond for the worker (for direct employers of household workers, farmworkers and fishermen only)

f. Business License

D

Processing of Worker Documents at POEA

The following shall be submitted to POEA as requirements for the processing of workers bound for CNMI:

a. Request for processing (RFP)

b. Letter from the CNMI Manila Liaison Office advising POEA of availability of work permit for the worker(s)

c. Verified individual employment contract with Affidavit of Undertaking

d. OCW Info Sheet

e. OCW I.D. Info Sheet

f. Medicare Certificate

g. PDOS certificate

E

Pre-Departure Orientation Seminar

Centralized Pre-Departure Orientation Seminar (PDOS) under the supervision of POEA shall be undertaken. PDOS certificate will be a requirement for processing at POEA.

This Circular shall take effect 15 days after publication.

All previous issuances inconsistent herewith are deemed amended.

For strict compliance.

Adopted: 1 July 1996

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

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