

GUIDELINES ON DIRECT HIRING OF SEAMEN

POEA MEMORANDUM CIRCULAR NO. 23, S. 1986, October 02, 1986

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It has been observed that the growing number of seabased workers being processed as direct hires have raised apprehensions and questions as to the extent of responsibility over them by the manning sector. To reconcile the divergent interests of workers and Employers without having to constrict market or employment, the following guidelines shall be observed.

- a. If the seaman obtained his employment thru his own efforts, the seaman's contract may be processed as a direct hire;
- b. However, if the employer is an accredited principal of a duly licensed manning/crewing agency, hiring should strictly be done thru the said manning crewing agency unless the manning/crewing agent expressly agrees to the direct hiring.

If under the next preceding paragraph the seaman requests to be processed as a direct hire for reasons which constitute a cause of action against the employer/principal's agent, such as exaction of placement fees, a formal complaint should be filed by said applicant seaman so that the corresponding sanction may be imposed by this Office.

Adopted: 2 Oct. 1986

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