IMPLEMENTING GUIDELINES ON THE INSURANCE REQUIREMENT FOR FILIPINO CONTRACT WORKERS

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Pursuant to LOI No. 1122 and Ministry Order No. 5 issued on 28 August 1984 and further to Memorandum Circular No. 26 issued on 14 September 1984 by this Office all of which aim to provide adequate benefits to Filipino overseas contract workers and at the same time maintain the competitiveness of Filipino labor in the international labor market, the following additional guidelines in the implementations of the insurance requirement are hereby promulgated:

1. The obligation to provide insurance coverage to Filipino overseas workers lies in the employers. It is, therefore, the responsibility of the employer or its local agent to give individual insurance certificate, as proof of coverage, to every Filipino contract worker without additional cost to him.

2. Employers already providing insurance to their Filipino contract workers in an amount equal or superior to what is provided in Ministry Order No. 5 shall be considered as having substantially complied with LOI No. 1122 regardless of whether the insurance coverage is bought by the employer from insurance companies in the Philippines or outside of the Philippines. Insurance already provided by employers in compliance with Ministry requirements for deployment of Filipino contract workers to war risk areas shall also be considered as compliance with LOI No. 1122 provided the amount involved is not less than is provided in Ministry Order No. 5.

3. Documents of vacationing contract workers may be processed at the Balik Manggagawa Division even if not accompanied by an individual insurance certificate provided that said contract worker is purely on vacation from an overseas job covered by an unexpired employment contract; PROVIDED HOWEVER, that this exemption shall only be for a period of one year from the issuance of this Circular; PROVIDED, FINALLY, that a vacationing worker returning to a new job overseas under a new employment contract shall comply with the insurance requirement. For this purpose, any individual insurance certificate issued in favor of the vacationing contract worker in an amount equal to what is provided in Ministry Order No. 5 whether bought by the employer from an insurance company in the Philippines or overseas will suffice for compliance.

4. Name-hired contract workers already covered by adequate insurance need not present a separate individual insurance certificate when processing travel documents and employment contracts at POEA.

5. To avoid undue delay in the processing of worker's travel documents, a sworn statement or affidavit of undertaking submitted to the Contracts Processing Department together with the Request for Processing (RFP) by the agency or contractor that the workers to be processed under a particular RFP are adequately covered by insurance contemplated under LOI No. 1122 and that the agency or contractor assumes full and complete liability over any and all claims arising from that insurance shall suffice for compliance.

Adopted: 11 Oct. 1984

(SGD.) PATRICIA A. STO. TOMAS
Administrator

Re-issued: 18 Feb. 1992

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