

SIMPLIFIED LICENSING, PROJECT REGISTRATION AND WORKERS' DOCUMENTATION OF POEB-REGISTERED COMPANIES

POEA MEMORANDUM CIRCULAR NO. 01, S. 2001, January 05, 2001

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Pursuant to Governing Board Resolution No. 01, s. 2000 and consistent with the deregulation plan of the POEA to facilitate the mobilization of Overseas Filipino Workers (OFWs) hired by Philippine Overseas Construction Board (PCOB) - registered companies, the following policies and procedures are hereby issued:

I. General Policies

1. These guidelines shall apply to all PCOB-registered companies deploying workers under their employ to their projects overseas.
2. All PCOB-registered companies shall undergo licensing, project registration and worker documentation at POEA at streamlined procedures, taking into consideration the process they undergo at the PCOB.

II. Licensing of PCOB-registered Companies

1. POEB-registered companies shall submit a written application for licensing at the POEA Licensing Branch together with the following requirements for licensing:
 - a. A certified copy of its valid POEB Certificate of Registration
 - b. Proof of payment of non-refundable filing fee of P5,000
2. Upon approval of the application, the contractor-company shall:
 - a. Pay a licensing fee of P30,000
 - b. Post a cash bond and surety bond in the amount of P100,000 and P500,000, respectively.
 - c. Present proof of standard Escrow Agreement in the amount of P200,000 with an accredited banking corporation.
3. The license shall be valid for at least two years from the date of issuance and coterminus with the validity of the PCOB registration, unless sooner cancelled or revoked by the Secretary of Labor or suspended by the Administration for violation of the Labor Code and its rules, relevant decrees, orders and issuances and other rules and regulations of the Department of Labor and Employment. Such license shall be valid only at the place stated therein and when used by the licensed or authorized POEB-registered companies.
4. Upon expiration of the license, POEB-registered companies shall submit the following requirements together with the written application for renewal:
 - a. A certified copy of POEB Certificate of Renewal of Registration
 - b. Proof of renewed surety bond of P50,000
 - c. Certification from the bank that the escrow deposit of P200,000 is still intact.
5. Upon renewal of the license, the contractor-company shall present proof of payment of

the license fee of P30,000.

III. Registration of Overseas Projects

Licensed POEB-registered companies shall submit a letter request for registration of their overseas projects with the POEA Landbased Center together with the following requirements:

1. Project authorization from POEB including manpower requirement of the project, compensation and mobilization schedule; and
2. Master employment contract

IV. Procedures/Requirements for In-House Processing of Overseas Employment Certificates (OECs)

1. Issuance of pre-numbered OECs to licensed POEB-registered companies

a. The Landbased Center shall issue OECs to licensed POEB-registered companies upon submission of the following:

1. Letter-request for pre-numbered OECs based on their project authorization.
2. A one time affidavit of undertaking which states the following:
 - that OFWs shall be deployed to duly registered projects only and that the position or workers' classification and salary rates have been duly registered at POEA
 - that OFWs to be deployed have valid and appropriate working visas, entry permits or its equivalent
 - that OFWs to be deployed are not included in the watchlist
 - that OFWs to be deployed shall be governed by the terms and conditions of their duly registered contract and OFWs shall be given a copy of the POEA registered employment contract prior to their departure
 - that OEC safekeeping and issuance shall be the full responsibility of the POEB-registered company and that it is liable for any loss or misuse of the same
 - that concerned POEB-registered companies shall be subject to a regular audit and spot inspection to determine its continued participation in the program.

3. Official receipt of payment for the requested OECs

4. Report of a computerized system that will meet the information requirements of the Administration concerning file specification and coding standards.

b. For Balik-Manggagawa or vacationing workers

- Letter-request for pre-numbered Balik-Manggagawa OECs
- Official receipt of payment made for the OECs requested
- Visa/work permit (or its equivalent) of individual worker
- Proof of worker's previous processing with the company.

c. Replenishment of OECs

Request for additional sets of OECs shall be supported by proof of project requirement. OEC consumption shall be strictly monitored for purposes of approving requests for additional OECs.

2. Preparation and Issuance of OECs by licensed POCB-registered companies

- a. Issuance of OECs to the selected workers shall be based on the position classification and salary rate registered for the principal
- b. POCB-registered companies shall see to it that appropriate visas are issued to OFWs. Use of visas other than for employment purpose and position titles in visas which differ from those registered at POEA shall require POEA clearance
- c. OECs shall be signed by the authorized signatory of the POCB-registered company only. A list of not more than three signatories with their specimen signature shall be endorsed to the Philippine Tourism Authority and other concerned entities for their reference
- d. The OEC is valid for 120 days for new hires and 30 days for balik-manggagawa. POCB-registered companies shall see to it that OFWs are in possession of valid OECs upon departure
- e. OFWs whose OECs are lost shall be required to pay full travel tax. A replacement OEC may only be issued under any of the following circumstances:
 - when OEC is spoiled or expired
 - when previously issued OEC is cancelled due to cancellation of contract by either the worker or the employer for some valid reasons and errors committed on data entry
- f. In case of suspension of license of POCB-registered companies, the concerned company shall first seek clearance from the Administration prior to deployment of workers. The Labor Assistance Center shall see to it that such clearance has been secured for workers' departure.

3. Submission of Deployment List to the Labor Assistance Center (LAC)

POCB-registered companies shall submit a deployment list to the Labor Assistance Center (LAC) at Philippine international airports indicating the name of workers, position, overseas project, and the date of worker's departure. The list to be validated by the LAC shall be endorsed to the Landbased Center immediately on the following working day for monitoring purposes. The POCB-registered company shall see to it that the deployment list is the actual list of worker's deployed.

4. Payment of OWWA Membership Contribution and OWWA Medicare Premium

- a. Payment of OWWA membership contribution and Medicare premium shall be made immediately a day after the workers' departure. Should workers' departure happen to be on a non-working day, payment of fees shall be made immediately on the following working day.
- b. Manager's check and cashier's checks shall be honored for payment purposes.

5. Revocation of Privilege

The Administration reserves its right to recall the in-house processing privilege should there be established cases of non-compliance or violation of POEA rules and regulations. Automatic preventive suspension shall be imposed on POCB-registered companies in the case of violation of the guidelines.

6. Monthly Audit on OEC Stock and Usage

Licensed POCB-registered companies shall submit a monthly report on consumption and usage of OECs to the Landbased Center. The report shall include remaining stock, cancelled, spoiled, expired, and missing OECs. Such

report shall also include the original and POEA copies of OECs and OFW info sheets properly accomplished. The due date for such report shall be on the fifth day of each month.

In cases where there are missing OECs, the PCB-registered company shall report the same within 48 hours of its discovery and submit an affidavit of undertaking as to the circumstances of its loss. The concerned POEB-registered company shall publish a notice of loss in a newspaper of general circulation.

For compliance.

Adopted: 05 Jan. 2001

(SGD.) REYNALDO A REGALADO

Administrator

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