

RULES AND REGULATIONS GOVERNING THE REGISTRATION OF NAME HIRED WORKERS

POEA GOVERNING BOARD RESOLUTION NO. 04, S. OF 2007, August 09, 2007

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WHEREAS, Article 18 of the Labor Code, as amended, prohibits an employer from hiring Filipino worker for overseas employment, except through the boards (POEA) or entities authorized by the Secretary of Labor and Employment;

WHEREAS, the same provision also provided, as an exception, the direct hiring of employers who are members of the diplomatic corps, international organizations and such other employers as may be allowed by the Secretary of Labor and Employment;

WHEREAS, Section 6, Rule III, Part III of the 2002 Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers allows the registration of name hires as an exemption from the ban on direct hiring to accommodate workers who obtained employment on their own without the participation of recruitment agencies;

WHEREAS, there is a need to harmonize the framework regulating the processing of name hired workers, consistent with the requirements of Article 18 of the Labor Code;

NOW THEREFORE, the POEA Governing Board, in a meeting duly convened, RESOLVES AS IT IS HEREBY RESOLVED to repeal Section 6, Rule III, Part III of the 2002 Rules and Regulations Governing the Registration of Name Hired workers.

Pursuant to Article 18 of the Labor Code, POEA is directed to process the employment contracts of workers who are directly hired by the following foreign employers:

- 1) Members of the diplomatic corps; and
- 2) International organizations.

All other foreign employers shall secure the approval of the Secretary of Labor and Employment before the employment contracts of the workers whom they have directly hired are processed.

Foreign employers who are registered/accredited with private recruitment agencies are not allowed to directly hire workers.

The POEA shall promulgate the necessary guidelines to implement this Resolution. Adopted: 09 Aug. 2007

(SGD.) ARTURO D. BRION

Secretary of Labor and Employment and Chairman of the Governing Board

(SGD.) GREGORIO S. OCA

Member

(SGD.) ISIDRO Q. ALIGADA

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