NEW HIRING GUIDELINES FOR TAIWAN-BOUND WORKERS

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Pursuant to the continuing thrust of the Administration to provide utmost protection to Filipino workers and consistent with the POEA general policy of recognizing the role played by foreign placement agencies in the employment of Filipino workers, the following guidelines on the deployment to Taiwan of Overseas Filipino Workers hired through Philippine Recruitment Agencies (PRA) and Taiwan Manpower Agencies (TMA) are hereby issued:

I. Registration of TMAs by POEA

Entities duly licensed to operate as manpower agencies by the Council of Labor Affairs (CLA) in Taiwan shall undergo registration at the POEA.

II. Documentary Requirements for Registration of TMAs at POEA

The following documentary requirements for registration shall be submitted directly to POEA or through the Manila Economic and Cultural Office (MECO) in Taiwan:

a. Copy of valid license from the CLA, notarized by a Taiwan district court;

b. Certificate of good standing from the CLA; and

c. Duly accomplished TMA application form with a photocopy of a valid passport of the TMA owner.

Upon compliance with the above requirements, the TMA shall be included in POEA's official list of registered TMAs. The POEA shall regularly provide concerned entities with the said list.

III. Documentary Requirements for Accreditation of Taiwan Employers

The following documents shall be submitted to the POEA for accreditation of the Taiwan employer:

- Certificate of Business Registration of the TMA, with English translation;

- Master employment contract signed by the employer, notarized by a Taiwan district court and verified by MECO;

- Special Power of Attorney (SPA) issued by the direct employer in favor of the Philippine agency, notarized by a Taiwan district court and verified by MECO;,

- SPA issued by the direct employer in favor of the TMA, notarized by a Taiwan district court and verified by MECO:

- Memorandum of Agreement between the TMA and the Philippine agency, notarized by a Taiwan district court and verified by MECO;

- Manpower request signed by the employer, notarized by a Taiwan district court and verified by MECO; and

- CLA letter of approval, verified by MECO.

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Upon compliance with the above requirements, the corresponding accreditation certificate will be issued by the POEA to the employer.

IV. Documentary Requirements for Processing at POEA

- Duly accomplished Information Sheet of the worker;

- Individual employment contract based on the approved master employment contract (For domestic helpers/caregivers, the individual contract shall be co-signed by the TMA); and

- Visa stamped on passport.

V. Additional-Manpower Requests of Accredited Employers

For additional manpower requests, the following documents shall be submitted to POEA:

- CLA letter of approval, verified by MECO; and

- Manpower request signed by the employer, notarized by a Taiwan district court and verified by MECO

VI. Renewal of Accreditation of Taiwan Employers

In case of renewal of accreditation of the employer having the same TMA, the following documents shall be submitted to POEA:

- Letter of confirmation for the renewal of accreditation from employer;

- Valid business license, if necessary;

- CLA letter of approval, verified by MECO; and

- Confirmation of the employment contract by the employer.

In cases of renewal of accreditation of the employer having a different TMA, the following documents shall be submitted to POEA;

- Certificate of Business Registration of the TMA, with English translation;

- Master employment contract signed by the employer, notarized by a Taiwan district court and verified by MECO;

- SPA issued by the direct employer in favor of the TMA, notarized by a Taiwan district court and verified by MECO; and

- Memorandum of Agreement between the TMA and the Philippine agency, notarized by a Taiwan district court and verified by MECO.

VII. Accreditation of Employers

A Taiwan employer shall be accredited to only one PRA. However, the POEA may grant the accreditation for a second PRA, subject to any of the following conditions: a. volume of manpower requirements; b. urgency of deployment; c. difficulty in sourcing the skills requirement; and d. other justifiable reasons as may be determined by the Administration.

VIII. Suspension/Cancellation of Registration of TMAs

Registration of TMAs shall be deemed automatically suspended or cancelled when its license is suspended or

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cancelled by the CLA or when its license has expired.

Non-compliance to POEA rules and regulations shall constitute grounds for suspension or cancellation of registration by POEA.

IX. Pre-Departure Orientation Seminar (PDOS) for Workers

All workers bound for Taiwan shall undergo a Taiwan-specific PDOS adopting skills-specific modules developed by POEA in coordination with industry associations and NGOs. Only POEA-accredited associations and NGOs shall conduct said PDOS.

The PDOS Certificate shall be presented at the POEA Labor Assistance Center at the airport prior to departure for Taiwan.

X. Transitory Provision

All workers processed based on the previous requirements and procedures for accreditation and contract processing shall be acted upon provided that the TMA shall execute an Affidavit of Undertaking which provides that only the prescribed on-site fees shall be charged to the worker.

All issuances inconsistent herewith are hereby repealed accordingly.

For strict compliance.

Adopted: 20 March 2001

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