GUIDELINES FOR RECRUITMENT OF FILIPINO WORKERS FOR MALAYSIA

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In order to maximize the share of Filipino workers in the Malaysian labor market and to facilitate the deployment of Filipino workers to that country, the following guidelines are hereby issued to govern the recruitment of Filipino workers to Malaysia.

SECTION 1. Accreditation of Principals -

A. The following shall be required of agencies seeking accreditation of their principals in Malaysia:

- Authenticated Special Power of Attorney

- Authenticated Manpower Request

- Model Employment Contract

- Copy of Business License

B. A Principal can use the services of a second agent under any of the following conditions:

- The project calls for the urgent deployment of 200 or more workers. In such cases, the size and extent of the project must be duly verified by the office of the Labor Attached or any appropriate official of the Philippine Embassy/Consulate in the jobsite.

- As may be deemed necessary by the Administration e.g. when a project calls for the recruitment of highly specialized manpower categories. In such cases, the direct employer shall advise the Administration of the particular skills/positions required and identify the duration of his appointment for the services of his second agent.

SECTION 2. Processing of Worker Documents - The following documents shall be submitted to POEA for processing:

- Request for processing

- Employment Contract duly verified/authenticated by the Philippine Embassy in Malaysia

- Work permit

- Pre-paid ticket advise (PTA)

- OCW info sheet

- OCW ID Sheet

- PDOS Certificate

- Repatriation Bond

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SECTION 3: Centralized Pre-Departure Orientation Seminar - Hired domestic helpers bound for Malaysia shall attend a centralized Pre-Departure Orientation Seminar (PDOS) conducted by POEA. PDOS certificate shall form part of document requirements for contract processing.

Attendance to this Seminar shall be pre-scheduled with POEA. Agencies are therefore required to make the necessary arrangement for scheduling. Workers shall bring a copy of their employment contract and a letter referral from the agency.

SECTION 4. Name Hiring - There will be no name hiring of domestic helpers (dh) for Malaysia except for the following and upon recommendation by the Philippine Embassy based on its background check on the employer:

- Hirings by immediate members of the family of Heads of State and Government;

- Hirings by current and former Minister, Deputy Minister and the other senior government officials; and

- Hirings by senior officials of the diplomatic corps and duly accredited international organizations.

- Hirings by reputable employers, as recommended by the Philippine Embassy.

SECTION 5. Deductions From Wages - The employer/agency shall not make any deductions from the salary of the worker.

SECTION 6. Placement fee - Recruited workers shall be charged a maximum placement fee of P5,000.00

SECTION 7. Watchlisting/Blacklisting of Agencies/Employers in Malaysia - The Philippine Embassy in Malaysia may recommend to POEA the watchlisting/blacklisting of agencies/employers in Malaysia on the following instances:

- If agency has been found to have committed misrepresentation.

- If employer has been found to have violated the employment contract per sworn statement by aggrieved worker

- In cases of violations analogous to the foregoing and in other cases prejudicial to the interest of the worker

The Embassy, after conducting a preliminary hearing, shall immediately notify POEA of its recommendation to watchlist/blacklist an employer or agency and shall submit the case documents to POEA within reasonable time. While said recommendation is under consideration by POEA, the Embassy may preventively suspend its verification and authentication of employment documents until POEA has rendered its decision and has officially relayed the same to the Embassy.

For guidance of all concerned.

Adopted: 4 Mar. 1992

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Officer-in-Charge

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