GUIDELINES ON THE ESTABLISHMENT AND OPERATIONALIZATION OF ONSITE WELFARE AND MONITORING CENTERS

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Pursuant to Department Order No. 21, series of 1996, mandating the overseas entertainment industry associations to implement comprehensive welfare programs for Filipino overseas performing artists (OPAs) and establish monitoring centers with their counterpart associations in the host countries, the following guidelines are hereby issued for the guidance of all concerned:

1. Memorandum of Agreement

A Memorandum of Agreement (MOA) shall be entered into by a duly registered Philippine entertainment industry association and its counterpart industry associations in the host country and shall contain among others the following minimum terms and conditions:

1.1 The parties shall agree to establish welfare and monitoring centers at the worksites.

1.2 The parties shall be jointly responsible for the proper implementation of the booking contract and other terms and conditions of employment.

1.3 The parties shall not allow their Overseas Performing Artists (OPAs) to engage in dohan or other similar practices, do lewd shows, or perform other indecent acts and do menial jobs, such as waitressing, janitorial and other non-contract related work.

1.4 The parties shall undertake to ensure that the OPAs are booked only in performance venues which comply with the rules and regulations of the Philippines and the host countries.

1.5 The parties shall not allow or tolerate its members to perform in venues other than that indicated in their contract.

1.6 The parties shall not allow or tolerate its members to hire undocumented and/or overstaying OPAs.

2. Accreditation of Onsite Welfare and Monitoring Centers (OWMC's)

The DOLE/POEA shall accredit as many qualified welfare and monitoring centers onsite upon the recommendation of the Philippine Overseas Labor Office (POLO) in accordance with these guidelines.

3. Primary Task of the Center

The OWMC shall regularly monitor the whereabouts and conditions of the OPAs whom the members of the associations have deployed. It shall ensure that the conditions set forth in the booking contract and contract of employment are complied with.

4. The Center

4.1 The Center shall be located in areas where there are large concentration of Filipino OPA's;

4.2 The Center shall be accessible through public transportation;

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4.3 The Center shall be identified through a signage on its facade, indicating its name and associations managing it;

4.4 The Center shall have facilities for guidance counseling, first-aid treatment, toll-free help lines and remittance assistance. Other services such as upskilling courses for personality and career enhancement shall be encouraged.

4.5 The Center shall be manned by a regular staff who have communication facility in English and Filipino.

4.6 The Center shall coordinate closely with the POLO and non-government organizations (NGO's) in the host country.

4.7 The Center shall provide the POLO a monthly report of its activities, copy furnished the DOLE, POEA, OWWA and the Philippine Embassy/Consulate including the whereabouts of artists using the POEA prescribed monitoring report form.

5. Assessment of the Center

The POLO shall make a monthly assessment of the Center's performance and the extent of its compliance to these guidelines. The POLO shall also refer to the particular terms and conditions of the MOA in its assessment. The POLO shall make a quarterly report of its assessment to the Secretary of Labor and Employment, copy furnished POEA and OWWA.

6. Sanctions

Failure to maintain its facilities and services as provided herein shall subject the Center to the following sanctions:

6.1 Warning

6.2 Suspension

6.3 Revocation of accreditation

6.4 Other applicable sanctions under M.C. No. 36 Series of 1996

7. Applicability

These guidelines shall apply to all associations and their members operating the centers.

For immediate implementation and compliance.

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(SGD.) FELICISIMO O. JOSON, JR.
Administrator

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