NATIONAL ADMINISTRATIVE REGISTER · JULY 21, 1993

PRESCRIBING MEASURES TO FURTHER IMPROVE PROTECTION IN THE DEPLOYMENT OF HOUSEHOLD WORKERS

POEA DEPARTMENT ORDER NO. 25 s. 1993, July 21, 1993

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Pursuant to the directive from the Office of the President and the National Government's thrust of providing maximum protection to overseas household workers and rationalizing the respective roles and responsibilities of concerned agencies, entities in this endeavor, the Philippine Overseas Employment Administration (POEA), National Manpower and Youth Council NMYC), Overseas Workers Welfare Administration (OWWA), Bureau of Local Employment (BLE) and the Philippine Overseas Labor Officers Corps (POLOs) are hereby directed to operationalize pertinent programs to ensure that only duly trained and certified household workers shall be allowed to work overseas. Further, in reference to POEA Governing Board Resolution No. 9, the POEA is hereby ordered to establish appropriate criteria in the qualification of household workers for overseas placement, including the criteria for the qualification of agencies and principals who shall be allowed to participate in the program. The POEA shall likewise institute appropriate measures to ensure assumption of responsibility and liability of both employers and principals with their Philippine agencies over their hired workers.

Coverage
This Order shall cover all persons, male or female, who shall render domestic or household service abroad under contract for compensation.

Application
This Order shall apply to all host markets taking cognizance of regional peculiarities in the hiring and documentation process not inconsistent herewith.

A
Philippine Overseas Employment
Administration (POEA)
1. Operationalization of the Household Workers Center — The POEA shall establish and operate the Household Workers Center (HWC) which shall take charge of the following functions:

- Supervision of a nationwide registration of qualified household workers through a program of training and/or skills test conducted by the NMYC or its accredited testing centers;

- referral of applicants from its pool to agencies qualified to deploy household workers whenever necessary;

- accreditation of foreign employers and principals;

- processing of employment contracts;

- computerized monitoring of registration, status of application, worker deployment and arrival onsite;

- provision of coordinative assistance for necessary post-deployment welfare services.

2. Participation of Private Agencies and Entities in the Deployment of Household Workers — All private licensed

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agencies and entities shall be qualified to participate in the deployment of household workers in accordance with the following requirements:

- number of years of active operation;

- proof of market prospects or approved job orders for household workers;

- track record for the past two (2) years involving adjudication and welfare cases;

- Additional Cash Bond in Escrow in the amount of P50,000.00; and

- Affidavit of Undertaking by the agency indicating the following additional responsibilities over its deployed household workers and ensuring compliance by its foreign employers/principals of requirements under this Order:

e.1 Agency responsibility:

e.1.1 In sourcing and deployment of duly registered household workers only;

e.1.2 For the authenticity of documents being presented such as passport, medical certificate, and others.

e.2 Agency commitment to eventually set up liaison/welfare office in areas where there is concentration of their hired workers.

3. Documentary Requirements for the Accreditation of Foreign Employers/Principals and Contract Processing

- Joint Affidavit of Undertaking — Agencies applying for the accreditation of foreign employers/principals hiring household workers shall, in addition to regular accreditation requirements, submit a Joint Affidavit of Undertaking with the foreign principal:

a.1 assuring faithful implementation of the Employment Contract;

a.2 ensuring that the household worker is allowed by the employer to notify immediately the Philippine Embassy of his/her arrival and may be visited regularly by the POLOs or appropriate Embassy staff;

a.3 allowing the worker to participate in skills enhancement programs at the Philippine Embassy.

- Individual Employment Contract — Licensed agencies qualified to deploy household workers shall, in addition to regular requirements for contract processing, submit prescribed individual Employment Contract for Household Workers which shall contain useful employer particulars and provides for the immediate notification of the worker's arrival to the Philippine Embassy/POLOs and regular visitation of the worker(s) by the POLOs.

4. Orientation Seminar for Household Workers — The POEA shall undertake an intensive Pre-Employment Orientation Seminar (PEOS) for household workers which may be integrated in the training curriculum to be instituted by NMYC and its duly recognized training centers. Likewise, the Pre-Departure Orientation Seminar (PDOS) shall be undertaken by POEA and duly accredited NGO's in coordination with DOLE, NMYC, and OWWA regional offices.

5. Departure-Arrival Monitoring — The POEA shall ensure that the POLOs are duly informed of the deployment of household workers on a regular basis to enable the POLOS to institute effective monitoring of these workers.

6. Disqualification from this Hiring Program — Violations of any of the conditions set forth in this Order shall, after due investigation, result in the disqualification of the agency and/or principal in this Hiring Program, without prejudice to other administrative sanctions imposed in accordance with the prevailing Schedule of Penalties for recruitment violations.

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B

National Manpower and Youth Council (NMYC)

1. Training of Household Workers — The NMYC shall establish a standard training curriculum for household workers which should include a Home Management Course, Value Orientation and Pre-Employment Orientation. Such standard training curriculum shall be adopted by training centers wishing to participate in this program under the supervision and authority of the NMYC.

2. Trade-testing — All household workers wishing to work abroad shall be required to pass the trade test instituted by NMYC or any of its accredited trade testing centers. Household workers who pass the trade-test may not undergo full training except Value Orientation, and Pre-Employment Orientation Seminar (PEOS).

Household workers previously trained and trade tested by NMYC shall automatically qualify as members of the pool.

C

Overseas Workers Welfare Administration (OWWA)

1. Production of Print and Audio Visual Materials — The OWWA, in collaboration with POEA and the POLOs, shall prepare information materials on all countries of destinations which shall focus on the socio-cultural environment and pertinent laws of receiving countries.

Information materials intended for the employers' understanding of their contractual and moral obligations over their hired Filipino household worker shall also be developed.

2. Conduct of Basic Foreign Language Courses — As part of the workers' education, basic foreign language courses shall be made available to ready-to-leave household workers.

3. Development and Coordination of Welfare Programs for Household Workers for Implementation at the Overseas Centers.

D

Bureau of Local Employment (BLE)

The BLE shall operationalize a national registry of household workers in accordance with the guidelines set forth by POEA. The BLE shall coordinate with POEA's HWC in order for qualified agencies to have access to such national registry.

E

Philippine Overseas Labor Offices Corps (POLOs)

The POLOs shall take special responsibility over the social welfare programs necessary for household workers in accordance with the peculiar needs of these workers in each country. Along this objective, the POLOs shall:

1. Monitor the entry and departure of household workers in their respective areas.

2. Conduct skills enhancement programs at the welfare center or at the Embassy as the case may be, together with NGOs and Filipino communities.

3. Implement welfare programs onsite.

4. Monitor and assess the welfare services of private recruitment agencies and entities onsite.

5. Implement an accreditation system for foreign placement agencies as principals.

6. Together with POEA and OWWA, assist in the development of an employer education and orientation program.

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For purposes of implementation of this Order, the above-mentioned agencies/entities are hereby directed to issue their respective implementing guidelines not later than fifteen (15) days from issuance of this Order.

All other issuances inconsistent with this Order are hereby repealed.

This Order takes effect fifteen (15) days from the date of publication.

Adopted: 21 July 1993

(Sgd.) MA. NIEVES R. CONFESOR
Secretary

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