



ADVISORY NO. 2

Series of 2023

TO : Philippine Recruitment Agencies
Taiwan Manpower Agencies
Foreign Principals/Employers
菲律賓人力仲介公司
臺灣人力仲介公司
外籍管理人員/ 僱主

SUBJECT : Accreditation at Posts
登記認證

Please be informed that effective January 16, 2023, Migrant Workers Offices (MWOs) in Taipei, Kaohsiung and Taichung formerly Philippine Overseas Labor Offices (POLO) are accepting application for accreditation of foreign principals/employers and TMAs who wish to participate in the overseas employment program of the Philippines.

自 2023 年 1 月 16 日起，於臺北、臺中及高雄的移工事務辦公室(MWOs)，為之前的菲律賓海外勞工辦公室(POLO)，開始受理外籍管理人員/ 僱主及臺灣人力仲介公司，欲進行菲律賓海外聘僱程序的登記認證。

This is in pursuant to POEA Memorandum Circular No. 16, series of 2022, providing for the Guidelines on the Verification of Accreditation Documents and Registration with POEA.


依據法規：POEA Memorandum Circular No. 16, series of 2022，此提供了文件證明認證及在菲律賓海就業署註冊登記時的文件辦理指導方針。

All applications for accreditation along with the complete requirements must be submitted to the respective Migrant Workers Offices (MWOs) in Taiwan having jurisdiction of the jobsite.

全部申請認證的完整必備文件，請分別送至依地區劃分的移工事務辦公室(MWOs)所在地。

Please be guided accordingly.

請依規定辦理。


ATTY. CESAR L. CHAVEZ, JR.
Director of Migrant Worker Services
Manila Economic and Cultural Office - Taipei
Coordinator, MWOs in Taiwan

12 January 2023

Attachment:
POEA Memorandum Circular No. 16, series of 2022





Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
BFG Building, Ortigas Avenue cor. EDSA, Mandaluyong City 1550
Website: www.poea.gov.ph E-mail: crd@poea.gov.ph
Hotlines: 8722-1144, 8722-1155

MEMORANDUM CIRCULAR NO. 116
Series of 2022

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TO : ALL CONCERNED

SUBJECT : 2022 Guidelines on the Verification of Accreditation Documents and Registration with the POEA

Pursuant to Governing Board Resolution No. 5 Series of 2022 amending Sections 95 and 96, Rule 1, Part III of the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers, to streamline the accreditation of foreign principals and employers, the following guidelines for verification of accreditation documents are hereby issued:

I. Governing Policies

The authority of the Administration to accredit principals/employers is delegated to the Philippine Overseas Labor Offices (POLOs) in countries or territories of their respective jurisdictions. In this regard, the following rules shall apply:

- A. *Primary Authority.* All documents for accreditation shall be verified by the POLO, which shall also issue the corresponding Accreditation Certificate in accordance with the guidelines under Section 96 thereof.
- B. *Concurrent Authority.* All documents for accreditation shall be:
 1. verified by the POLO, which shall also issue the corresponding Accreditation Certificate in accordance with the guidelines under Section 96 thereof; or
 2. duly authenticated or acknowledged by the Philippine Embassy or Consulate which has jurisdiction over the jobsite, in cases where there is an agreement between the DFA and the POLO. In which case, the same shall be forwarded to the Administration for the issuance of an Accreditation Certificate.
- C. In the absence of the POLO, the documents shall be duly authenticated or acknowledged by the Philippine Embassy or Consulate which has jurisdiction over the jobsite, and in which

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case, the same shall be forwarded to the Administration for the issuance of an Accreditation Certificate.

- D. In cases where there is no Philippine Embassy or Consulate in the jobsite, the principal/employer may submit the documents to the Administration for attestation and issuance of an Accreditation Certificate.

For this purpose, verification shall refer to the procedure being conducted or applied by the Labor Attaché to ensure that all the employment rights, benefits and welfare of Filipino migrant workers at the worksite are duly protected. The Labor Attaché shall also ensure that the employment contracts of Overseas Filipino Workers are consistent with the prevailing employment laws, standards, and practices in both the Philippines and the host country, and that the documentary requirements for overseas employment as required by the Administration are complied with.

A subsequent Memorandum Circular shall be issued clarifying the primary authority, concurrent authority, and oversight authority exercised by the POLOs in accordance with the existing DFA-assigned jurisdictions.

II. Procedure

These guidelines shall cover the procedure for the verification of accreditation documents prescribed under *Section 96, Rule 1, Part III of the 2016 Revised POEA Landbased Rules* to be submitted by Landbased foreign principals and employers to the Philippine Overseas Labor Office (POLO).

A. The Employer/Principal/FPA/FRA shall undertake the following:

1. *Submission of Documentary Requirements.* Submit the following complete documentary requirements to the POLO for verification whether through physical, electronic, or postal means as applicable:

a. Recruitment Agreement (RA) or Special Power of Attorney (SPA). This is an agreement between the Principal/Foreign Placement Agency (FPA) / Foreign Recruitment Agency (FRA), as applicable, and the POEA-licensed recruitment agency (LRA) containing, among others, the responsibilities of the parties with respect to the orderly deployment, employment, and return of Filipino workers in a form to be prescribed by this Administration, with the following attachments:

- i. Photocopy of any valid ID or other acceptable forms of valid identification of the signatories in the RA/SPA;

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- ii. Business registration, charter, or other similar document that establishes the legal personality of principal/FPA/FRA; and
 - iii. Undertaking by the principal/FPA/FRA and the LRA to monitor the employment of OFWs and to submit a report of significant incidents concerning OFWs;
- b. Service Agreement. A Service Agreement is an agreement executed by and between the foreign employer and the FPA/FRA as may be applicable;
- c. Job Order (JO). A JO is a document that indicates the manpower request of the employer, containing the classification of occupations, positions, number of workers required per position, and standard salary and allowances per position;

For FPA/FRA, the following shall be attached to the JO:

- i. [Manpower demand from its clients/direct employers in support of JO to LRA];
- ii. Business Registration, or other similar document that establishes the legal personality of its client company/ies.
- iii. License that authorizes the FPA/FRA to operate as a recruitment/placement agency
- iv. Proof of escrow deposit for specific occupations, as applicable

For Staffing/Outsourcing Company, the following shall be attached to the JO:

- i. List of clients;
 - ii. Manpower demand from client companies in support of JO to LRA; and
- d. Master Employment Contract (MEC). This is an agreement which sets forth the principal terms and conditions of the workers' deployment, employment, and return, as well as the rights and obligations of the parties of the contract.

2. *Hiring of Welfare Desk Officer/ Counsellor.* For principals/employers hiring Filipino domestic workers, make an Undertaking that they will employ a Filipino Welfare Officer/Counsellor who shall monitor and resolve domestic workers' problems/complaints at the jobsite. The Welfare Officer/Counsellor

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shall have the following basic qualifications:

- a. College degree holder or High school graduate with at least two (2) years of work experience in handling welfare cases involving OFWs; and
- b. Conversant in the language understood by both the employer and the domestic worker.

The Administration may prescribe other qualifications and an additional number of Welfare Officers/Counsellors, taking into consideration the demands of the labor market and welfare realities at the jobsite.

3. *Job Site Visit or Interview.* For first time applicants, the Labor Attaché may require the submission of pictures and/or videos of the worksite and accommodation of the workers, or the conduct of jobsite visit or interview with the employer/principal/authorized FRA representative. The jobsite visit or interview shall be conducted within five (5) working days from receipt of complete documents for accreditation, as feasible.

The Labor Attaché may conduct on-site verification or visitation, if necessary, to establish the existence of the employer/principal, its ability to hire workers at the prescribed rates and at desirable working conditions consistent with the standards prescribed by the Administration/DMW and with the labor laws and regulations in the country of employment.

4. *Payment.* Pay the verification fee whether through cash or electronic payment upon approval of the POLO.

B. *The POLO shall undertake the following:*

1. Upon receipt of documentary requirements, the POLO shall immediately check the completeness of the accreditation documents, subject to compliance by the principal of the deficiencies if there are any. The POLO shall verify the accreditation documents within seven (7) to ten (10) working days, upon determination of the completeness and correctness of the said documents.
2. If the Labor Attaché decides to conduct a jobsite visit and/or interview, the above-mentioned process cycle time shall be suspended and will continue only after the jobsite visit and/or interview.
3. Once verified, the POLO shall require the payment of the verification fee and shall release the verified accreditation documents with the

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corresponding Accreditation Certificate in accordance with Section 97, Rule I, Part III of the 2016 Revised Landbased POEA Rules.

4. If the accreditation documents are deemed incomplete and incorrect, the POLO will issue a Notice of Denial to the applicant principal/employer. A letter of reconsideration may be filed with the POLO within 15 days from the receipt of the Notice of Denial, stating the grounds for reconsideration.

III. Registration with the Philippine Overseas Employment Administration (POEA)

- A. Within twenty-four (24) hours from the issuance of the Accreditation Certificate, the POLO shall electronically transmit a copy of the same together with the approved job order/manpower request to the POEA for Registration.
- B. Upon receipt of the Accreditation Certificate and job order/manpower request, the POEA Landbased Center shall immediately register the accreditation into the online system.

IV. Effectivity.

These guidelines shall take effect immediately.

For the guidance of all concerned.


ATTY. BERNARD P. OLALIA
OIC-Administrator

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