Subject: Guidelines for the Implementation of the Full Disclosure Policy

Pursuant to DOLE Department Order No. 35 on implementation of the FULL DISCLOSURE POLICY (FDP), the following guidelines are hereby issued:

I. Definition

**Full disclosure** shall mean that all parties to an overseas contract shall declare the real terms and conditions in all aspects of the workers' employment prior to his engagement.

**Parties** refer to the landbased agencies and/or the employer/principal and the worker.

II. Terms and Conditions of Employment to be Disclosed by the Agencies

A. Wages and Salaries

A.1 Where there exists bilateral and/or multilateral agreement employment standards, the same shall prevail in determining wages and salaries.

A.2 Where there exists a host country law or regulations providing for minimum wage, the same shall prevail provided that the rate is not below the Philippine minimum wage.

A.3 In countries where there is no statutory minimum wage, the prevailing wage/salary in the host country as determined by market forces, and verified by the POLO or in his absence the Embassy or Consulate official, shall apply to Filipino workers, provided the same is not lower than the Philippine minimum wage.
B. Other Terms and Conditions of Employment to be Disclosed

B.1. Job position, nature and expectation
B.2. Qualification required
B.3. Worksite condition
B.4. Employer profile
B.5. Contract duration
B.6. Hours of work
B.7. Overtime
B.8. Board and lodging
B.9. Transportation
B.10. Leaves, holidays and days-off
B.11. Medical and dental benefits
B.12. Insurance coverage
B.13. Grievance machinery
B.14. Assistance in remittance
B.15. Repatriation
B.16. Taxes and other legal deductions
B.17. Placement fee
B.18. Documentation and processing costs
B.19. Visa category

The allowable placement fee shall be in accordance with the Department Order No. 34 (Series of 1996) and its implementing guidelines.

The provisions of existing laws, rules and regulations governing hours of work, overtime, board and lodging, workmen's compensation benefits, just cause for termination, transportation, leaves, holidays, days-off, medical and dental benefits, insurance coverage, remittance assistance and repatriation shall be observed as minimum terms and conditions of employment.

III. Worker's Obligation to Disclose

The worker shall disclose fully his/her qualifications which include his/her educational background, training, work experience, medical history, and other personal circumstances as may be necessary.
IV. Support Mechanisms to Empower OFWs

A. Pre-Employment Orientation Seminar (PEOS)

A.1 As soon as adequate mechanisms are in place, PEOS shall be mandatory and shall be a requirement by the landbased agencies in considering an applicant.

A.2 PEOS shall be conducted by concerned government and accredited non-government organizations (NGOs) in accordance with the module/s approved by the POEA.

B. Pre-Departure Orientation Seminar (PDOS)

B.1 A country and company-specific PDOS shall be conducted by the landbased agency before a worker is deployed.

B.2 The PDOS module shall be submitted to the Worker’s Education Division (WED), Welfare Services Branch (WSB) of the Welfare and Employment Office (WEO) for approval.

C. Advertisement and Notices of Job Offer

C.1 Any advertisement for job opportunities shall be governed by existing rules.

C.2 A comprehensive information of the job offer should be made available to applicants at the premises of the landbased agency.

D. Overseas Employment Travel Advisories

The POEA shall come out with travel advisories, at least three (3) times in every quarter, to inform workers about prevailing market conditions in host countries of OFWs.

V. EXEMPTION

These guidelines shall not apply to seafarers, household workers and entertainers who are covered by special programs with separate rules and guidelines.
VI. SANCTIONS AND PENALTIES

Violations of the foregoing provisions shall be dealt with in accordance with existing laws, rules and regulations.

This Circular shall take effect fifteen (15) days after its publication.

For strict compliance.

FELICISIMO O. JOSON
Administrator

04 April 1997
Marketing Branch