MEMORANDUM CIRCULAR NO. 19
Series of 2003

TO: ALL CONCERNED

SUBJECT: GUIDELINES ON THE REGISTRATION OF FOREIGN PRINCIPALS/EMPLOYERS IN THE US, CANADA AND EUROPE, INCLUDING EXEMPTION FROM POLO VERIFICATION REQUIREMENTS

Pursuant to POEA Governing Board Resolution No. 3, Series of 2003, all foreign employers hiring overseas Filipino workers for the United States of America, Canada and Europe are exempted from the verification requirement for recruitment and employment documents by the Philippine Overseas Labor Offices (POLOs) for purposes of POEA registration.

I. Coverage

The Circular shall apply to recruitment/employment documents of foreign employers/principals who are hiring Filipino professionals, skilled and technical workers for the United States, Canada and Europe, and caregivers for Canada.

The existing requirements for verification of recruitment and employment documents shall be maintained for the following categories:

a. employers/principals hiring household workers/domestic helpers; and
b. employers/principals which are considered as “new markets” for purposes of application of recruitment license.

The existing requirement for verification of recruitment and employment documents of employers hiring “Filipino nurses for the United Kingdom, and healthcare workers and other categories of workers for Ireland”, under the name hire system as provided under POEA Memorandum Circular No. 05, Series of 2000, and Memorandum Circular No. 11 Series of 2002 shall continue to apply.
II. Registration of Principals at the POEA

All recruitment and employment documents shall be submitted to the POEA through the Philippine licensed recruitment agency for the registration of the principal/employer. The basic requirements for registration are as follows:

a. Notarized Special Power of Attorney or recruitment agreement, or service agreement with the Philippine licensed agency;
b. Master employment contract;
c. Manpower request of the foreign principal indicating the position and salary of workers to be hired; and
d. Company registration or business license.

Additional documentary requirements for “healthcare workers and other categories of workers for the United Kingdom and Ireland” as specified under POEA Memorandum Circular No. 5 (Series of 2000) and No. 11 (Series of 2002) shall be maintained.

III. Validity of Registration of Foreign Principals and Projects

The registration of the foreign principal and/or project shall have a maximum validity of four (4) years, unless sooner revoked or cancelled by the POEA on any of the following grounds:

a. Expiration of the principal’s business license;
b. Upon written mutual agreement by the parties to pre-terminate the Agreement;
c. False documentation or misrepresentation in connection with the application for registration; and
d. Final judgment in a disciplinary action against the foreign principal.

Provisional registration may be granted for a period of ninety (90) days for a principal that substantially meets the requirements for registration. Further, the expiration of the agency’s license shall not cause the automatic expiration or cancellation of the registration which shall only be suspended until the renewal of the license.

IV. Open Registration

A principal/employer may be registered to more than one agency provided that a uniform compensation package shall be adopted for all workers recruited and hired. There shall be no minimum number of job orders or minimum number of deployed workers that will be required.
V. Renewal of Registration

The registration of the principal shall be renewed upon the request of the local agency partner provided that the documents required for initial registration are still valid.

VI. Additional Manpower Requirements

Requests for additional manpower requirements indicating the specific position/skills, number of workers needed and salary, shall no longer require verification and authentication by the POLO and Philippine Embassy/Consulate at the worksite or nearest the worksite. The request shall be submitted directly to the POEA.

VII. On-site Monitoring

The POEA shall transmit the list of registered principals to the concerned Philippine Embassies/Consulates or POLOs in the host country on a quarterly basis, for monitoring of the employment conditions and welfare of the workers.

This Order shall take effect immediately.

ROSALINDA DIMAPILIS-BALDOZ
Administrator

27 June 2003