MEMORANDUM TO: ALL PHILIPPINE OVERSEAS LABOR OFFICERS

SUBJECT: UPDATED GUIDELINES ON ON-SITE OEC PROCESSING SERVICES FOR RETURNING OFWs (BALIK-MANGGAGAWA) AND MONTHLY SUBMISSION OF STATISTICAL REPORTS/ REPORT OF COLLECTIONS

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Further to the supplementary guidelines on on-site OEC processing for returning overseas Filipino workers (OFWs), may we provide you with the attached updated guidelines.

We wish to call the attention of the Post considering items I-A and I-B on the qualifications of persons who are considered returning OFWs (Balik-manggagawa). We have noted that even the dependents of contract workers are issued OECs contrary to the provisions of the existing guidelines.

May we also request the Post to submit to this Office the monthly statistical reports on processed BMs together with the copies of the OECs issued, BM info sheets, and report of collections for record and monitoring purposes. Please refer to items II-F and II-G of the existing guidelines for your reference and guidance.

We shall appreciate your attention and consideration on the matter.

FELICIANO O. JOSON, JR.
Administrator

11 March 1997
UPDATED GUIDELINES FOR BALIK - MANGGAGAWA PROCESSING

I. General Rule for Balik-Manggawa Processing

Overseas Filipino Workers (OFWs) except seafarers, who are on vacation or an emergency leave and who are returning to the same job site, to resume their employment within six (6) months from the date of arrival in the Philippines shall be processed as balik-manggawa.

A. PERSONS CONSIDERED AS RETURNING OFWs (BMs)

a.1 Regular Balik-Manggawa - OFW who is returning to the same employer. An OFW who is transferring to another jobsite to join and to return to the same employer is still considered a regular balik-manggawa.

a.2 BM Who Changed Employer In the same Jobsite -
The following are also included in this category:

- Seaman/Seafarer who changed employer and became a landbased OFW in the jobsite provided he can show proofs that the contract has been partially served. [Passport with seaman category has to be amended to landbased category or if this is not possible, passport has to be changed]

- OFW who changed employer and transferred to another jobsite may be processed as balik-manggawa provided he can show proofs that the contract has been partially served in the new jobsite.

a.3 Undocumented OFWs - these include tourists, dependents, students, businessmen who became OFWs and have partially served the same employer.

Also included in this category are returning OFWs who exited illegally and/or those with spurious documentations provided they can show proofs that they have partially served their present employer.

B. PERSONS NOT QUALIFIED FOR BALIK-MANGGAGAWA PROCESSING

b.1 Dependents of Overseas Filipino Workers (OFWs) - are entitled to reduced travel tax and should avail of this privilege at the Philippine Tourism Authority, Manila.

b.2 Students

b.3 Businessmen

b.4 Permanent Residents - should secure travel tax exemption at the Philippine Tourism Authority, Manila.

b.5 Overseas Filipino Workers (OFWs) who changed employer and changed jobsite and whose contracts have not been served are considered new hires.

**Note:** An OFW whose original jobsite is Hongkong but is transferring to another jobsite is not considered as balik-manggawa.
II. Procedures For Balik-Manggagawa Processing

A. FORM ISSUANCE

Upon presentation of the passport, the following forms shall be issued to the worker to be filled up:

a. Balik-Manggagawa Info-sheet
b. OCW Medicare Information sheet

For OFWs with valid Medicare coverage, they only need to fill up the BM Info sheet.

B. DOCUMENTARY REQUIREMENTS

The following documentary requirements shall be presented by returning contract workers when applying for processing and issuance of an Overseas Employment Certificate (OEC):

b.1 For workers returning to the same employer

- valid passport
- visa re-entry visa, entry permit / work permit or any equivalent document

b.2 For workers who change employers / undocumented workers

- valid passport
- valid visa / entry permit / work permit or any equivalent document
- employment or any other proof to show that contract has been partially served at jobsite.

In case of contract workers who changed employers but whose contracts have not been served and where visa stamping requires to be formalized in the embassies of the host country in Manila, the concerned returning contract workers should be advised to proceed to POEA, Ortigas and bring the following requirements for issuance of OEC:

- valid passport
- visa stamped in the passport
- visa certification and visa authorization (when required) both with English translation, if the issuance of the OEC is necessary prior to visa stamping
- authenticated employment contract
- old or previous passport if the contract worker secured a new passport

C. OEC PREPARATION

After evaluation of the documents, prepares the OEC which consists of four (4) copies indicating therein the following:

- name of worker
- position
- passport number
- worksite/destination

All the information in the OEC must be complete and correct affix your signature.

For the purpose of processing and issuance, the exact expiry date must be indicated in the OEC by the evaluator and/or designated signing officer.
c.1. Cancellation of OEC

In case of error, alteration or erasures, the OEC shall be automatically cancelled and a new set of OEC shall be prepared and issued to the contract worker. Cancelled OEC shall be properly recorded in the logsheet and in the report of BMs Processed and OECs issued/used provided for this purpose.

c.2. Lost OECs / Issuance of Certification

As a matter of policy, there shall be no re-issuance of OEC in case of loss. A contract worker who lost the OEC shall pay the full travel tax. In lieu of the lost OEC copies, a returning contract worker may be issued a certification indicating the particulars of the processed OEC. The certification to be issued by the concerned processing posts shall be used for exit purposes only at the Bureau of Immigration and Deportation at the NAIA, Manila when the contract workers return to their jobsite.

c.3. Coding the Passport

The system of coding the passport is adopted to ensure that there will be no re-issuance or double issuance of OEC. This will also facilitate verification and the issuance of the certification to contract workers who lost their OECs.

The coding may be indicated at the last page or back cover of the passport and should contain the following information:

- serial number of the OEC issued
- date of issue
- initial of the evaluator or designated signing officer

D. PAYMENT OF PRESCRIBED FEES

After the preparation of the OEC, instructs the contract worker to pay the following prescribed fees or its equivalent foreign currency to the Philippine Embassy Finance Officer:

d.1. For Workers Returning to the Same Employer (Regular Balik-Manggagawa)

- P100.00 - POEA Processing Fee
- P900.00 - OWWA Medicare Premium

For OFWs with valid Medicare Premium, only the POEA processing fee of P100.00 (or equivalent foreign currency) shall be collected.

Exemption on the Payment of the Medicare Premium - for Landbased workers of active status under the GSIS/SSS voluntary membership program.

d.2. For Workers Who Changed Employers and/or Undocumented Workers

- P100.00 - POEA Processing Fee
- P625.00 - OWWA Welfare Fund Contribution
- P900.00 - OWWA Medicare Premium

Exemption on the Payment of Medicare Premium - for Landbased workers of active status under the GSIS/SSS voluntary membership program - return
E. RELEASING OF PROCESSED DOCUMENTS TO OFW - BM

Upon presentation of the Official Receipt corresponding to payments of the prescribed fees, the following documents shall be released to the contract worker:

- passport and other pertinent documents submitted by the worker
- original copy of the OR
- Three copies of the OEC
  - Airline Copy (original) which serves as travel tax exemption certificate
  - LAC Copy which serves as the worker's travel exit clearance/pass and will be presented together with the Worker's Copy to the Labor Assistance Center (LAC) at NAIA in Manila for validation purposes
- Worker's Copy - the validated copy is presented to the BID, NAIA in Manila when the OFW returns to the jobsite.

F. COLLECTION AND REMITTANCE OF BALIK-MANGGAGAWA FEES AND PROVISION ON BANK CHARGES

f.1 The Finance Officer/Collecting Officer of the Department of Foreign Affairs as deputized collecting officer for the purposes, receives payments and issues single receipt corresponding to the Processing Fee P100.00 or its foreign currency equivalent.

The POEA Official Receipts (ORs) to be used for the above collection shall reflect the details of payment and/or nature of collection and the total amount paid by the individual contract worker.

In the case of OCWs required to pay the OWWA contributions and Medicare Premium, the Labor Attaché shall refer the BM concerned to OWWA officer/s for the settlement of the Welfare fund contributions and Medicare Premiums.

f.2 All daily collections shall be deposited at the Embassy account.

f.3 For the preparation of the collection reports, the Collecting Officer shall accomplish the prescribed report of collections for POEA Receipts - re: POEA processing fee.

The original copy of the collection reports certified by the deputized Collecting Officer (copy furnished the Labor Attaché) shall be submitted to POEA Accounting Division together with the duplicate copies of the Official Receipts (ORs), deposit slips and copies of remittance within the first week of the following month.

f.4 The collections shall be remitted within the first week of the following month as follows:

a. The POEA Processing fee - directly to the POEA Trust Liabilities Account No. 0552 - 1002 - 20 Land Bank of the Philippines, EDSA Greenhills Branch
b. Expenses incurred, such as bank charges shall be reimbursed by the POEA.

G. PREPARATION AND TRANSMISSION OF REPORTS

- OEC Logsheet - to be accomplished in three copies
- Summary Report of BMs Processed and OECs Issued/Used - to be accomplished and recorded daily (in three copies) in the prescribed form.
g.2 Chronologically arranges the worker's information sheets with the POEA copy of the OEC.
g.3 Submits the information sheets with the POEA copy of the OECs, OEC Logsheet Report, Summary Report of BMs Processed and OECs Issued/Used together with any cancelled/spoiled OEC (with all four copies intact) to the POEA's Pre-Employment Services Office within the first week of the following month.
g.4 Lost OECs should be immediately reported to POEA.

H. CONTRACT WORKERS WITH DEPENDENTS OR APPLYING FOR OWWA LOAN

Returning contract workers with dependents and/or planning to apply for OWWA Loan may be issued a certified or authenticated photocopy of the OEC and information sheet for submission to the Philippine Tourism Authority or OWWA, Manila.

The POLOS may authenticate or certify the photocopies of the OEC and BM information sheet but once these documents are officially endorsed to POEA, Ortigas, the authentication and certification will be undertaken by the said Office.