

## GOVERNING BOARD RESOLUTION NO. 13

Series of 2007

**WHEREAS**, the Philippine Overseas Employment Administration (POEA) Governing Board approved last year a protection and welfare enhancement reforms package for Filipino Household Service Workers;

**WHEREAS**, these reforms took effect on 16 December 2006 for newly hired HSWs and on 1 March 2007 for returning HSWs;

**WHEREAS**, in the implementation of these reforms, the POEA issued several guidelines to avoid possible loss of employment opportunities to qualified and experienced HSWs;

**WHEREAS**, there is a need to clarify the implementing regulations issued by POEA;

**NOW, THEREFORE**, the POEA Governing Board, in a meeting duly convened, **HEREBY RESOLVES** to clarify the guidelines as follows:

- a. Newly Hired HSWs : The full terms of the reform package shall apply to newly hired HSWs effective 16 December 2006, except the requirement for TESDA NC2 Certificate<sup>1</sup> and OWWA Language and Culture Orientation which shall not be required from those bound for countries with prescribed skills training and language and culture orientation as conditions for visa issuance, as determined by the POEA.
- b. Returning HSWs to Overseas Jobs on or after December 16, 2006:
  - b.1 HSWs covered by existing employment contracts are exempted from the application of the reform package for the duration of their existing employment contract;
  - b.2 HSWs who completed their overseas employment contracts **within 2006** and whose new employment contracts are fully processed by POEA **before 1 March 2007**, are exempted from the requirements of the reform package. However, the OWWA Language and Culture Orientation shall apply when the HSW is returning to a country with different language and culture, as determined by OWWA;
  - b.3 HSWs who completed their overseas employment contracts **before 2006** and whose new employment contracts are fully processed by POEA **before 1 March 2007**, shall be:

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<sup>1</sup> TESDA recognizes prior experience and learning and does not require formal training for the HSW to be granted a TESDA NC2 Certificate. Formal training is required only when the HSW fails TESDA accredited assessment for the 3<sup>rd</sup> time.


- b.3.1. covered by the minimum salary requirements of the reform package;
- b.3.2. covered by the OWWA Language and Culture Orientation requirement only if they are returning to a country with a different language and culture, as determined by OWWA; but
- b.3.3. shall not be covered by the TESDA NC2 Certificate requirement.
- b.4. HSWs with previously completed overseas contracts described under b.2 and b.3 above and whose new employment contracts are processed by POEA **on or after 1 March 2007**:
  - b.4.1. shall be covered by the minimum salary requirements of the reform package;
  - b.4.2. shall not be covered by the TESDA NC2 Certificate requirement except when so required by their employer under their new contract, nor by the OWWA Language and Culture Orientation requirement except when they are returning to a country with a different language and culture, as determined by OWWA.
- c. The POEA shall process until 1 March 2007 under the old rules all pipeline accounts involving newly hired HSWs:
  - 1. with visas issued prior to 16 December 2006; and
  - 2. processed under job orders registered at the POEA or contracts verified by the concerned POLOs prior to 16 December 2006.

Done in Taguig City, Philippines, this 2<sup>nd</sup> day of February 2007.




**ARTURO D. BRION**

Secretary of Labor and Employment and  
Chairman of the Governing Board



**GREGORIO S. OCA**  
Member




**ISIDRO Q. ALIGADA**  
Member



**GUILLERMINA T. GABOR**  
Member

**LEONARDO B. DE OCAMPO**  
Member



**ROSALINDA DIMAPILIS-BALDOZ**  
Member