



**Philippine
Overseas
Employment
Administration**

Republic of the Philippines
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MEMORANDUM CIRCULAR NO. 13
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TO : ALL CONCERNED
**SUBJECT : GUIDELINES ON THE RECRUITMENT AND DEPLOYMENT OF
FILIPINO WORKERS TO SPAIN**

Pursuant to the Memorandum of Understanding on Cooperation for the Management of Migration Flows Between the Philippines and Spain, the following guidelines governing the recruitment and deployment of Filipino workers to Spain are hereby issued:

I. General Policy:

1. Only pre-qualified recruitment agencies accredited by POEA shall be allowed to recruit for and deploy Filipino workers to Spain
2. Name hiring of workers under this program shall not be allowed.
3. There shall be no collection of placement fee prior to issuance of work visa.

II. Pre-Qualification of Philippine Recruitment Agencies

Philippine recruitment agencies interested to participate in the employment program for Spain must submit to the POEA its application for pre-qualification and show proof of compliance with the following requirements:

1. The agency's license status must be in good standing;
2. Must have at least three (3) years experience in deploying medical and health workers;
3. Must have deployed a minimum of 100 medical and health workers within the last three years; and
4. Must have no adverse or pending administrative case for recruitment violation involving a grave offense;

POEA shall evaluate the submission within eight (8) working hours from receipt and shall issue a list of pre-qualified recruitment agencies by posting them in the POEA Website. The list will be updated and POEA shall, at any time, cancel the pre-qualification of an agency found not complying with the above requirements.

III. Registration of Principals

Spanish companies/employers intending to participate in the recruitment and hiring of Filipino medical and health worker should be registered with the POEA in accordance with the following procedures:

A. Submission and Posting of Job Offers by POEA

1. Submission of Job Offers and Work Authorization previously evaluated and approved by the Director General of Immigration of Spain (DGI) to the

- Philippine Overseas Labor Office (POLO) which shall transmit them to POEA.
2. POEA shall post in its Website the DGI approved Job Offer and Work Authorization as reference for pre-qualified recruitment agencies.

B. Verification by the POLO

3. The employer, together with the pre-qualified recruitment agency selected from the POEA website, shall submit the following documents to the POLO for verification:
 - i. Special Power of Attorney in favor of the accredited recruitment agency;
 - ii. DGI approved Job Offer and Work Authorization
 - iii. Master Employment Contract
 - iv. Valid Business license of the employer with English translation
4. The pre-qualified recruitment agency shall submit to POEA the above verified documents for the registration of the employer.

Request for additional manpower shall be approved by POEA upon submission of a new manpower request approved by the Director General of Immigration of Spain and verified by the POLO. The registration of principals shall be renewed, provided that all documents submitted during the initial registration are confirmed to be still valid and existing and the principal affirms its intention to renew its registration with the agency.

IV. Selection of Workers

1. The process of selection of workers shall be in accordance with the qualifications prescribed by the employers which shall include among others possession of the Spanish language proficiency certificate issued by the Instituto de Cervantes. It shall be conducted through a procedure mutually agreed upon by the Spanish companies and their Philippine recruitment agency, giving prior notice to POEA and DGI who shall have the option to send their respective representatives to the selection.
2. The POLO and the Spanish company shall forward the list of selected workers to the DGI using the prescribed forms.

V. Application and Issuance of Work Visa/Residence Resolution

1. Upon receipt of the list of selected workers, DGI shall process the application and issue the appropriate resolution.
2. The DGI shall advise the requesting companies of the resolution and shall forward a copy of the same to the POLO, the Directorate General of Consular Affairs and to the Consulate of Spain in the Philippine for the issuance of entry visa.

VI. Documentation of Workers

1. Documentation through Regular Processing

The Philippine recruitment agency shall submit the following to the POEA for the processing of employment contracts of selected workers:

- i. Request for Processing Form (RFP);

- ii. Individual employment contracts duly verified by the POLO;
- iii. Duly accomplished Worker's Information Sheet; and
- iv. Valid Spanish language proficiency certificate issued by the Instituto de Cervantes

2. Documentation through Electronic Submission

Prior to payment of the required fees and issuance of the POEA exit clearance, the Philippine recruitment agency shall present the following to the POEA for evaluation:

- i. The verified individual employment contract; and
- ii. Valid Spanish language proficiency certificate issued by the Instituto de Cervantes

VII. Effectivity

This Memorandum Circular shall be effective after 15 days from publication in a newspaper of general circulation.

For strict compliance.


ROSALINDA DIMAPILIS-BALDOZ
Administator

24 November 2006

