



MEMORANDUM CIRCULAR NO. 10-B SERIES OF 2020

TO : ALL CONCERNED

SUBJECT : GUIDELINES ON THE ISSUANCE OF NOTICES/ORDER, FILING OF PLEADINGS, CONDUCT OF HEARINGS, AND OTHER PROCEEDINGS AT THE ADJUDICATION OFFICE

Further to Memorandum Circular Nos. 10 and 10-A, the following set of guidelines shall govern the filing of pleadings, issuance of Notices/Orders and other proceedings at the Adjudication Office:

I. ISSUANCE OF SHOW CAUSE/SUMMONS, SERVICE OF NOTICES AND ORDERS

The mode of service for the issuance of a Show Cause/Summons and Order to Appear or to Produce Documents as well as other Orders shall be made through registered mail or courier, including through electronic means and facsimile pursuant to Supreme Court A.M. No. 19-10-2020 or the "2019 Proposed Amendments to the 1997 Rules of Civil Procedure".

Again, the licensed recruitment and manning agencies are directed to inform and update the Licensing Branch of their email addresses.

II. FILING AND SERVICE OF PLEADINGS AND MOTIONS

The filing of pleadings/motions earlier suspended in view of the quarantine measures imposed by the government due to COVID19 pandemic is hereby lifted. Hence, all parties to the case should file and serve their pleadings including Motions in accordance with the period provided under the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 and the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers. All pleadings should also include the email address of the party.

III. HEARINGS, DRAFTING AND RENDITION OF ORDERS

The conduct of hearings will resume on **01 October 2020** through personal appearance before the Hearing Officer but strictly on appointment or pre-scheduled hearing basis. Appearance during scheduled hearings shall be limited only to the litigants and their

counsel. The health and safety protocols imposed by the government shall be strictly observed.

The Overseas Employment Adjudicators shall continue to draft Orders after the cases are submitted for resolution. The rendition of Orders, Judgments, Decisions and Resolutions previously suspended is hereby lifted.

IV. PERIOD TO APPEAL

The party aggrieved by a decision of the Administration may appeal the same to the office of the DOLE Secretary within fifteen (15) calendar days from receipt of a copy of the decision. Other provisions on Appeal under the 2016 POEA Rules and Regulations will apply.

V. ISSUANCE AND SERVICE/ENFORCEMENT OF WRITS OF EXECUTION

Issuance and service of Writs of Execution and other related processes shall proceed in accordance with the 2016 POEA Rules and Regulations.

VI. APPOINTMENT AND FOLLOW-UP OF CASES

Affirmation of Affidavit of Desistance/Recantation/Withdrawal by the party/ies shall be made only after a confirmed appointment with the Branch concerned.

Follow-up of status and queries on cases pending at the Adjudication Office shall be made through phone call or online via electronic mail only.

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This Circular shall take effect immediately and amends previous POEA issuances contrary hereto. All other provisions of Memorandum Circulars Nos. 10 and 10-A not inconsistent with this Circular shall remain effective.

For strict compliance.



BERNARD P. OLALIA
Administrator

7 September 2020