

GOVERNING BOARD RESOLUTION No. 09 *Series of 2020*

WHEREAS, Section 5 of Republic Act 8042 provides, “Notwithstanding the provisions of Section 4 hereof, the government, in pursuit of the national interest or when public welfare so requires, may, at any time, terminate or impose a ban on the deployment of migrant workers”;

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WHEREAS, the said provision of the law is reflected in the *Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016*, specifically: *Section 116. Ban or Termination of Deployment.*— Notwithstanding the provisions of the preceding sections, in pursuit of national interest or when public welfare so requires, the POEA Governing Board may, after consultation with the DFA, at any time impose or terminate a ban on the deployment of Overseas Filipino Workers. The Administration, based on reports, may recommend to the POEA Governing Board a reduction in the deployment of Overseas Filipino Workers;

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WHEREAS, the Philippine Overseas Employment Administration (POEA), by virtue of POEA Governing Board Resolution No. 01 Series of 2006, has defined mission critical skills (MCS) as “those skills that reflect the primary function of the organization without which mission critical work cannot be completed and which skills are internally developed and require extensive training, thus, not easily replaceable”;

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WHEREAS, the POEA has devised a framework that would project the shortage of mission critical skills as a result of outward migration taking into consideration the local demand for MCS, inventory of qualified employees, number of MCS deployed overseas and prospective entrants of MCS over a given period of time;

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WHEREAS, recognizing that human resource is one of the country’s primary source of productivity, POEA sustains a close collaboration with the Human Resources for Health Network (HRHN), an inter-agency policy and program support network led by the Department of Health (DOH);

WHEREAS, in 2019, prior to the onset of the COVID-19 pandemic that led to the declaration of the state of emergency in the country, the HRHN estimated that based on the World Health Organization (WHO) indicative human resource for health (HRH) ratio of 44.5 HRH to 10,000 population for the attainment of Sustainable Development Goals (SDGs), there was a shortage of about 290,000 health workers in the country, and that an

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average annual migration of 13,000 health care professionals aggravates the deficiency in the national supply;

WHEREAS, on 28 January 2020, a meeting of Department of Labor and Employment (DOLE) agencies led by the Bureau of Local Employment was held, recommending, among others, the retention and update of positions/title of occupations to be integrated within the roster of the MCS;

WHEREAS, on 08 March 2020, President Rodrigo Roa Duterte signed Proclamation No. 922 Series of 2020 which declared a state of public health emergency throughout the Philippines due to COVID-19;

WHEREAS, Section 2 of Proclamation 922 Series of 2020 provides, "All government agencies and LGUs are hereby enjoined to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat" ;

WHEREAS, Section 4(m) of Republic Act 11469, otherwise cited as *Bayanihan to Heal As One Act* was passed on 24 March 2020 with an immediate effectivity, provides, emergency powers for the President to, "engage temporary Human Resource for Health (HRH) such as medical and allied medical staff to complement or supplement the current health workforce or to man the temporary medical facilities to be established in accordance with Section 4 (k) of this Act. *Provided*, That HRH to be hired on temporary basis shall receive the appropriate compensation and allowances: *Provided further*, That all HRH serving in the front line during the state of calamity due to COVID-19, shall receive an actual hazard duty pay from the government;" ;

WHEREAS, the country's health facilities, personnel and other resources are under severe strain due to the rising number of persons affected by the COVID 19, including those deemed Persons Under Investigation (PUI), and Persons under Monitoring (PUM);

WHEREAS it is of paramount national interest to ensure that the country shall continue to have, sustain the supply, and prepare sufficient health personnel to meet any further contingencies, especially to replace, substitute or reinforce existing workforce currently employed, deployed or utilized locally;

NOW THEREFORE, the POEA Governing Board in a meeting duly convened, **RESOLVES AS IT IS HEREBY RESOLVED**, to support the national objective of controlling the spread of COVID-19 through the regulation in the deployment of Filipino health care workers through the mission critical skill (MCS) framework and to prioritize

human resource allocation for the national health care system at the time of the national state of emergency;

RESOLVED, that the following occupations are included in the roster of existing MCS:

- a. Medical Doctor / Physician
- b. Nurse
- c. Microbiologist
- d. Molecular biologist
- e. Medical technologist
- f. Clinical analyst
- g. Respiratory therapist
- h. Pharmacist
- i. Laboratory technician
- j. X-ray / Radiologic technician
- k. Nursing assistant / nursing aid
- l. Operator of medical equipment
- m. Supervisor of health services and personal care
- n. Repairman of medical-hospital equipment

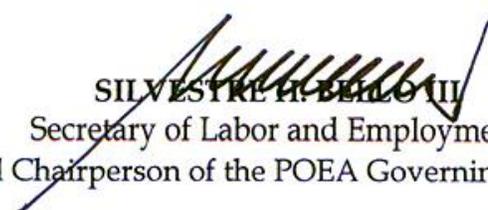
RESOLVED FURTHER, that the deployment of all health care workers included in the list above is hereby temporarily suspended until the national state of emergency is lifted and until COVID-19-related travel restrictions are lifted at the destination countries;

RESOLVED FURTHER, that negotiations of bilateral labor agreements for government-to-government deployment of health care workers are temporarily suspended until the duration of the national state of emergency;

RESOLVED FINALLY, that henceforth, the POEA Administrator is hereby authorized to issue guidelines that will amend, clarify, and/or provide program support to this Resolution pursuant to lawful orders.

For immediate compliance.

Done in the City of Manila, Philippines this 2nd day of April 2020.


SILVESTRE H. BELLO III
Secretary of Labor and Employment
and Chairperson of the POEA Governing Board



BERNARD P. OLALIA
Administrator and
Vice-Chairperson of the POEA Governing Board



ESTRELITA S. HIZON
Member
Private Sector Representative



ALEXANDER E. ASUNCION
Member
Landbased Sector Representative



FELIX M. OCA
Member
Seabased Sector Representative