

[ADVISORY NO. 14, S. 2018, March 07, 2018]

**REMINDER TO LICENSED RECRUITMENT AGENCIES (LRA'S) TO
ADHERE TO THE PROVISIONS OF THE 2016 REVISED POEA
RULES AND REGULATIONS GOVERNING THE RECRUITMENT AND
EMPLOYMENT OF LANDBASED OVERSEAS FILIPINO WORKERS**

*Adopted: 02 March 2018
Date Filed: 07 March 2018*

Concerning the manner of recruitment leading to the deployment of the demised OFW, Joanna Daniela Demafelis, a stern warning is hereby issued to all licensed recruitment agencies (LRAs) against acquiring the services of persons, sole proprietors, partnerships or corporations without a license to engage in the recruitment and placement of Overseas Filipino Workers on their behalf.

Section 76, Rule X, Part II of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers defines Illegal Recruitment as "Any act of canvassing, enlisting, contracting, transporting, utilizing, hiring or procuring workers and includes referrals, contract services, promising or advertising for employment abroad, whether for profit or not, when undertaken by a non-licensee or non-holder of authority contemplated under Article 13(1) of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines: Provided, that

any such non-licensee or non-holder who, in any manner, offers or promises for a fee employment abroad to two or more persons shall be deemed so engaged."

Any LRA that seeks to conduct recruitment activities outside its registered address may request for the issuance of a Special Recruitment Authority from this Administration prior to the conduct of the recruitment pursuant to Section 58, Rule VII, Part II of the POEA Rules. It should likewise comply with the requirements of Special Recruitment Activity pursuant to Section 59 of the same Rule. Said recruitment activity shall be conducted only at venues indicated in the authority, and shall be supervised by this Administration in coordination with the DOLE or PESO.

Section 65, Rule VII, Part II of the said Rules likewise states that a licensed recruitment agency may also participate in jobs fair and conduct recruitment activities based on POEA-approved job orders, provided that, a corresponding DOLE permit has been issued to the organizer of jobs fair. Prior written notification which includes a list of authorized representatives who will be participating in the jobs fair, including the venue, date, and list of principals/ employers, shall be submitted to this Administration for monitoring and supervision.