

**[POEA MEMORANDUM CIRCULAR NO. 9 S. 1985,
April 13, 1985]**

**SCHEDULE OF PENALTIES IMPOSED BY THE POEA FOR OFFENSES
COMMITTED BY LICENSED EMPLOYMENT AGENCIES/MANNING
AGENCIES AND CONTRACTING COMPANIES**

The new schedule of penalties imposed by the POEA for offenses committed by Licensed Employment Agencies, Shipping/Manning Agencies and Contracting Companies pursuant to the Administration's power to regulate private sector participation in the recruitment and overseas placement of workers is hereby promulgated.

NATURE OF OFFENSES

PENALTY

A. Offenses Against Workers

- | | |
|--|---|
| 1. Collecting, charging, imposing or receiving any amount, fees or bonds not authorized by the Administration or that which is greater than the authorized fees from workers or requiring them to render services, in consideration of overseas employment. | Suspension of license for one (1) one month and until settlement of the claims or fine equal to the amount collected or received but not less than P10,000.00 plus restitution of the amount collected or received in both instances. |
| 2. Recruitment or deployment of workers under false documents or thru false representation or the use of deceit or other illegal machination. Ex. using fake WTEP, passports, airline tickets, accreditation, job orders, or causing the publication of false advertisement, making false statement as to availability of jobs, substitution or altering employment contract duly approved by POEA deploying workers to principals, projects or vessels other than for which they were | Suspension of license for two (2) months or fine of P10,000.00 |

processed and other falsities and deceitful acts.

- | | |
|--|---|
| 3. Withholding of workers salaries or remittances without justifiable reason. | Suspension of license for two (2) months or fine equal to the salary withheld but not less than P10,000.00 plus restitution of the amount withheld in both instances. |
| | The violation or offense against every complainant or worker under #1, 2 and 3 constitutes one count of violation and the above penalties shall be imposed cumulatively provided that if the suspension period exceeds 24 months, the penalty of cancellation shall instead be imposed. |
| 4. Withholding of travel and Employment documents of workers for reasons not authorized by the Labor Code. | Suspension of license until return of document. |
| 5. Refusal or failure to deploy workers without valid reasons within the prescribed period. | Suspension of license for two (2) months and until either: (a) deployment of the worker or (b) return of his documents and refund of his expenses for documentation and placement fee or fine equal to the amount collected from the worker but not less than P10,000.00 plus refund of his documentation and placement fee expenses. |
| 6. Influencing or attempting to influence any person or entity to prevent the employment of any worker. | Suspension of license for six (6) months or fine of P50,000.00. |

B. OFFENSES IN RELATION