



**Manila Economic
and Cultural Office**
菲律賓駐台辦事處

ADVISORY 公告

TO : ALL TAIWAN MANPOWER AGENCY 所有臺灣人力仲介公司

SUBJECT : ONSITE INDIVIDUAL CONTRACT VERIFICATION FOR REHIRE AND
TRANSFER WORKERS 重招/續聘移工勞工文件證明驗證

EFFECTIVE JUNE 1, 2022, POLO TAIPEI WILL ONLY ACCEPT DOCUMENTS FOR INDIVIDUAL CONTRACT VERIFICATION FOR REHIRE/ TRANSFER WORKERS WHOSE OWWA MEMBERSHIP ARE UPDATED AND ACTIVE. HENCE, IT IS REQUIRED TO ALL TMA AUTHORIZED REPRESENTATIVE WHO ARE PROCESSING/SUBMITTING DOCUMENTS AT POLO TAIPEI, TO PROCEED TO COUNTER 14 (OWWA) TO UPDATE OWWA STATUS OF A WORKER PRIOR TO VERIFICATION.

自 2022 年 6 月 1 日起，菲律賓海外勞工辦公室(POLO)將只會驗證已完成更新海外勞工福利會員證明(OWWA)的重招/續聘勞工文件證明。因此，請所有臺灣人力仲介公司(TMA)的送件人員去菲律賓海外勞工辦公室-臺北(POLO Taipei)前，先到 14 號櫃檯(OWWA)更新移工的會員資訊後，再去驗證勞工文件證明。

LIKewise, ALL WORKERS ARE ENCOURAGE TO UPDATE THEIR SSS AND PAG-IBIG MEMBERSHIP/STATUS UPON RENEWAL OR TRANSFER.

同時，鼓勵所有重招/續聘的移工去更新其 SSS 及 PAG-IBIG 的會員資訊。

JOINT POEA AND PAG- IBIG FUND ADVISORY NO. 1 SERIES OF 2022 AND RA NO.11199 -SOCIAL SECURITY ACT OF 2018. (*Specifically, Section 9-B -Compulsory Coverage of Overseas Filipino Workers OFWs*) ARE HERETO ATTACHED FOR EVERYONE REFERENCE.

參考文件如下。

PLEASE BE GUIDED ACCORDINGLY.

請依指示辦理。




ATTY. CESAR L. CHAVEZ, JR.
Labor Attaché
POLO-Taipei

Attachments: *Joint POEA and Pag-ibig Fund Advisory No. 1 series of 2022*

RA NO.11199 -SOCIAL SECURITY ACT OF 2018.

(Specifically, Section 9-B -Compulsory Coverage of Overseas Filipino Workers OFWs)



Philippine
Overseas
Employment
Administration



JOINT POEA - PAG-IBIG FUND ADVISORY

No. 01, series of 2022

TO : ALL OVERSEAS FILIPINO WORKERS, INDIVIDUALS ASPIRING TO BE OFWs, LICENSED RECRUITMENT AGENCIES, LICENSED MANNING AGENCIES, POEA LANDBASED CENTER, POEA SEABASED CENTER, POEA BM PROCESSING DIVISION, POEA GOVERNMENT PLACEMENT BRANCH, POEA REGIONAL OFFICES/ REGIONAL EXTENSION UNITS/ SATELLITE OFFICES/OSSCOs, PHILIPPINE OVERSEAS LABOR OFFICES (POLOs)

SUBJECT : MANDATORY REQUIREMENT OF PAG-IBIG MEMBER ID (MID) NUMBER

With the consent of the Overseas Landbased Tripartite Consultative Council (OLTCC), the Philippine Overseas Employment Administration (POEA) and Home Development Mutual Fund (Pag-IBIG Fund) entered into a Memorandum of Agreement dated 20 October 2020 for the purpose of integrating Pag-IBIG member-contributions into POEA's Electronic Payment and Collection System (EPCS). The agreement was aimed at strengthening the implementation of the mandatory Pag-IBIG Fund coverage of Overseas Filipino Workers (OFWs) under Republic Act No. 9679 and to provide them with a convenient and inexpensive means to pay their monthly Pag-IBIG member-contributions.

In furtherance of said system integration and to facilitate the collection of monthly Pag-IBIG member-contributions, beginning 01 February 2022, the **POEA** shall now require all OFWs and aspiring OFWs to provide and encode their Pag-IBIG Member ID Number (Pag-IBIG MID), into their e-Registration System account.

Correlatively, **Pag-IBIG Fund** shall require its members to provide their Pag-IBIG MID Number for all Pag-IBIG Fund transactions, effective immediately, to ensure uninterrupted availment of Pag-IBIG Fund benefits and to avoid delays in the processing of loan and provident fund benefit claim applications of Pag-IBIG OFW-members. For this purpose, Pag-IBIG Fund prescribes the following procedures:

- 1) **OFWs without a Pag-IBIG MID Number** – are directed to secure their respective MID Numbers from the following channels:
 - a) Utilities Module of the POEA E-Registration System - where a Pag-IBIG Fund registration link can be found. Simply click the link and the same shall redirect him/her to the Online Membership Registration System of Pag-IBIG Fund where he/she can apply for a Pag-IBIG MID Number; or,
 - b) Virtual Pag-IBIG - Pag-IBIG Fund's online service portal thru the Online Membership Registration link:

https://www.pagibigfunds services.com/PubReg/Starter_Page.aspx

Once available, OFW-members shall encode/input their new Pag-IBIG MID Number into their respective POEA e-Registration Accounts.

- 2) **OFWs who already have Pag-IBIG MID Numbers but are unable to recall the same** – are requested to verify their Pag-IBIG MID Numbers using the following facilities:

- a) Virtual Pag-IBIG - Pag-IBIG Fund's online service portal thru the Virtual Pag-IBIG number Verification Service link:

<https://www.pagibigfundservices.com/virtualpagibig/MIDInquiry.aspx>; or,

- b) For any inquiries regarding your Pag-IBIG Fund account/transactions kindly reach Pag-IBIG Fund's contact channels, as follows:

- i) Service Hotline, (02) 8724-4244
- ii) Email via contactus@pagibigfund.gov.ph
- iii) Chat via www.pagibigfund.gov.ph
- iv) Send a private message via Pag-IBIG Fund Facebook page

Note: For verification requests via email and Facebook page, a government-issued ID shall be required.

Once verified, OFW-member shall encode/input their verified Pag-IBIG MID number into their POEA e-Registration Account.

- 3) **All jobseekers applying for overseas employment** – are required to provide their Pag-IBIG MID Number when creating their POEA e-Registration System Account.
- 4) **OFWs who have already been deployed** – are required to encode/supply/provide their Pag-IBIG MID Number into their POEA E-Registration Account, upon their next log-in session.
- 5) Payment of Pag-IBIG member contributions shall be made during OEC processing.
- 6) All licensed recruitment agencies, POEA frontline personnel and Philippine Overseas Labor Offices (POLOs) are requested to help disseminate, remind, and assist their OFW-clients regarding this joint advisory.

We enjoin all concerned to support and adhere to the above measures as part of our joint-efforts to improve the quality of life of all OFWs by helping them have more savings and decent shelter for themselves and their family.

Issued this ___ day of January 2022, Mandaluyong City.

For POEA:


BERNARD P. OLALIA
Administrator

For Pag-IBIG Fund


ACMAD RIZALDY P. MOTI
President & CEO



SEC 4. VOLUNTARY SSS COVERAGE. - The following may be covered by the SSS on a voluntary basis:

- i. A spouse of a member who devotes full time to managing the household and family affairs, but does not engage in other vocation or employment which is subject to compulsory or mandatory coverage; [Sec 9, (b)]
- ii. An OFW upon the termination of his/her employment overseas; [Sec 9-B, (f)]
- iii. A covered employee who was separated from employment who continues to pay his/her contributions; and [Sec 11]
- iv. A self-employed member who realizes no income in any given month who continues to pay his/her contributions. [Sec 11-A]

A voluntary member (VM) shall pay his/her contribution in accordance with the guidelines on payment deadline applicable to self-employed members.

RULE 14 Coverage of Overseas Filipino Workers

SEC 1. COMPULSORY OFW COVERAGE. - Coverage in the SSS shall be compulsory upon all sea-based and land-based OFWs as defined under R.A. No. 8042 or the *Migrant Workers and Overseas Filipinos Act of 1995* as amended [by R.A. No. 10022], provided they are not over sixty (60) years of age. [Sec 9-B, (a), 1st par]

- i. An OFW refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he/she is not a citizen, or on-board a vessel navigating the foreign seas other than a government ship used for military or non-commercial purposes, or on an installation located offshore or on the high seas. A “*person to be engaged in a remunerated activity*” refers to an applicant worker who has been promised or assured employment overseas.
- ii. An OFW shall be allowed to register for initial coverage with the SSS up to the day of his/her 60th birthday.

SEC 2. ALL BENEFIT PROVISIONS APPLICABLE. - All benefit provisions under the *Social Security Act of 2018* shall apply to all covered OFWs. The benefits include, among others, retirement, death, disability, funeral, sickness, maternity and unemployment insurance or involuntary separation benefits. [Sec 9-B, (a), 2nd par]

SEC 3. SEA-BASED OFWS AND THEIR MANNING AGENCIES. – Sea-based OFWs are compulsory members of the SSS. Manning Agencies are agents of their principals and considered as the employers of sea-based OFWs. For purposes of the implementation of the *Social Security Act of 2018*, they are jointly and severally or solidarily liable with their principals with respect to the civil liabilities incurred for any violation of the *Social Security Act of 2018*, any law to the contrary notwithstanding. [Sec 9-B, (b), 1st par]

- i. Manning Agency refers to any person, partnership or corporation duly licensed by DOLE to engage in the recruitment and placement of seafarers for ships plying international waters and for related maritime activities.
- ii. Principal refers to an employer or foreign placement agency hiring or engaging Filipino workers for overseas employment through a local licensed private recruitment/manning agency.
- iii. Joint and several liability refers to the liability of the principal/employer and the recruitment/manning agency, for any and all claims arising out of the implementation of the employment contract involving Filipino workers for overseas deployment. If the recruitment/manning agency is a juridical being, the corporate officers and directors and partners, as the case may be, shall themselves be jointly and severally liable with the corporation or partnership for the aforesaid claims and damages.
- iv. Manning agencies shall be responsible for performing functions of the employer under the *Social Security Act of 2018* and this IRR that include, among others, the timely reporting for coverage of sea-based OFWs, regular remittance of required contributions and advance payment of short-term benefits.

SEC 4. CRIMINAL LIABILITY OF MANNING AGENCIES. - The persons having direct control, management or direction of the manning agencies shall be held criminally liable for any act or omission penalized under the *Social Security Act of 2018* notwithstanding Section 28, paragraph (f) thereof. [Sec 9-B, (b), 2nd par]

SEC 5. LAND-BASED OFWS. - Land-based OFWs are compulsory members of the SSS and are considered in the same manner as self-employed persons, until a Bilateral Labor Agreement (BLA) shall have been entered into, under the following provisions of the *Social Security Act of 2018* and such other rules and regulations that the Commission shall prescribe: [Sec 9-B, (c)]

- i. If the land-based OFW realizes no income in any given month, he/she shall not be required to pay contributions for that month; [Sec 11-A]
- ii. The contributions of land-based OFWs shall be fixed and determined in accordance with the provisions of the *Social Security Act of 2018*; [Sec 19-A in relation to Sec 4 (a) (4)]
- iii. The monthly earnings declared by a land-based OFW at the time of his/her registration with the SSS shall be the basis of his/her initial MSC and the corresponding amount of monthly contribution; [Sec 19-A, 1st proviso]
- iv. A land-based OFW member shall pay both the employer and the employee contributions; and [Sec 19-A, 1st proviso]
- v. The monthly earnings declared by a land-based OFW at the time of his/her registration shall remain the basis of his/her MSC unless he/she makes another declaration of his/her monthly earnings, in which case such latest declaration becomes the new basis of his/her MSC. [Sec 19-A, 2nd paragraph]

SEC. 5.a. MSC FOR LAND-BASED OFWs. - The minimum MSC for land-based OFWs shall be eight thousand pesos (₱8,000.00) [SSC Resolution No. 90 dated 25 January 2017], provided that those who are receiving monthly earnings lower than ₱8,000.00 shall pay the contribution based on the said minimum MSC. [Sec 4 (a) (9), 2nd proviso]

Changes in the MSC of a land-based OFW member shall be in accordance with the following policies: [SSC Resolution No. 728 dated 20 August 2014]

- i.* For the initial contribution payment, he/she shall be allowed to change his/her MSC to an MSC higher or lower than the one indicated at the time of registration, depending on actual deployment and realization of earnings abroad without having to present any proof thereof, provided that the new MSC is not lower than the prevailing minimum MSC for OFWs. Said contribution shall be deemed as the new declaration of earnings and shall be the basis in determining compliance with the allowable change in succeeding MSC.
- ii.* A land-based OFW member who is below fifty-five (55) years old shall be allowed to change his/her MSC without limit in frequency and in number of salary brackets in a given calendar year, but in no case shall it be lower than the prevailing minimum MSC for OFWs. Submission of written request or declaration of earnings is not required.
- iii.* A land-based OFW member who is 55 years old and above shall be allowed to increase his/her MSC only once in a given calendar year and by one (1) salary bracket only from the last posted MSC, regardless of whether proof of earnings is presented or not, except for the following cases whereby certain rules shall apply accordingly:
 - a)* In case of a change in his/her membership type from employed/self-employed/voluntary to OFW-member for the first time, he/she shall be allowed to increase his/her MSC without limit and without having to present proof of earnings; and
 - b)* In case of a higher maximum MSC under a new applicable schedule of contributions, he/she shall be allowed to increase his/her MSC up to the new maximum MSC, without having to present proof of earnings, provided that his/her last posted MSC corresponds to the maximum MSC under the immediately preceding schedule of contributions.

The corresponding MSC of the first contribution in the above cases shall be the basis in determining compliance with the allowable change in succeeding MSC. No limit shall be imposed in case of decrease in MSC, but in no case shall it be lower than the prevailing minimum MSC for OFWs.

- iv.* An OFW-member may opt to pay his/her monthly contributions in advance regardless of the number of months or years. However, he/she may be required to settle underpayment/s in the future resulting from any policy change affecting the applicable schedule of contributions for the advance payments made.

SEC 5.b. DEADLINE FOR PAYMENT OF LAND-BASED OFWs. - The deadline for payment of contributions of land-based OFW members shall be as follows: [SSC Resolution No. 728 dated 20 August 2014]

- i. Contributions for the months of January to September of a given calendar year may be paid up to December 31 of the same year; and
- ii. Contributions for the months of October to December of a given calendar year may be paid up to January 31 of the succeeding year.
No contribution paid retroactively by a land-based OFW-member based on the above deadline shall be used in determining his/her eligibility to any benefit arising from a contingency wherein the date of payment is within or after the semester of contingency.

SEC 6. MANDATE OF DFA AND DOLE. – The DFA, the DOLE and all its agencies involved in deploying OFWs for employment abroad are mandated to negotiate BLAs with the OFWs' host countries to ensure that the employers of land-based OFWs, similar to the principals of sea-based OFWs, pay the required contributions, in which case these land-based OFWs shall no longer be considered in the same manner as self-employed persons under the *Social Security Act of 2018*. Instead, they shall be considered as compulsorily covered employees with employer and employee shares in contributions that shall be provided for in the BLAs and their implementing administrative agreements, [Sec 9-B, (d)] provided that in countries which already extend social security coverage to OFWs, the DFA through the Philippine Embassies and the DOLE shall negotiate further agreements to serve the best interests of the OFWs. [Sec 9-B, (d), proviso]

SEC 7. BILATERAL SOCIAL SECURITY AND LABOR AGREEMENTS AND OTHER MEASURES FOR ENFORCEMENT. - The DFA, the DOLE and the SSS shall ensure compulsory coverage of OFWs through bilateral social security and labor agreements and other measures for enforcement. [Sec 9-B, (e)]

- i. Compulsory coverage of OFWs in countries where the Republic of the Philippines has Social Security Agreements (SSAs) shall be based on the applicable legislation of either the Philippines or the other country. The SSA shall stipulate, among others, the standard provisions on the following, consistent with the International Labour Organization (ILO) Conventions on Social Security:
 - a) Equality of Treatment - entitlement of covered persons to social security coverage under same conditions as nationals of host country;
 - b) Export of Benefits - continuous receipt of benefits wherever a covered person decides to reside, even in home country;
 - c) Totalization of Insurance Period - combining insurance periods in both countries for benefit eligibility; and
 - d) Mutual Administrative Assistance - coordination between designated liaison agencies of both countries to implement provisions of the SSA.
- ii. Compulsory coverage of OFWs in countries where the Republic of the Philippines has BLAs requiring payment of contributions shall be based on the provisions of the Agreement and its implementing arrangement. The minimum terms and conditions that the DFA, DOLE and the SSS shall pursue in the negotiation and establishment of BLAs shall include the following: