

## **New Requirement for Hiring of Philippine Workers**

As announced in the BeeNews (see Feb 2009), Alberta individuals or businesses hiring workers from the Philippines must now also deal with the Philippine Overseas Labour Office (POLO) in Vancouver. Attached to the Philippine Consulate, it is POLO's responsibility to make sure employers are legitimate and prepared to meet certain conditions with regards to the hiring of Philippine nationals. Without POLO approval, a Filipino worker will not be issued the exit visa needed to leave their country.

Repeated attempts to clarify some points about the process have been made and are still ongoing. Two documents are attached, but this is how we understand it will work for our membership:

1. Employers must register with POLO. Registrations are valid for 4 years.
2. When employers hire not more than 10 workers under the same terms & conditions of work, they may use the "Name Hire" provision and avoid the involvement of a duly licenced Philippine Placement Agency (PPA).
3. Under "Name Hire", when an employer receives a LMO for a Filipino worker, he/she will forward it to POLO, along with some additional documentation and the appropriate fees.
4. The POLO will verify and authenticate the documents and return them to the employer.
5. The employer will then forward the documents to the prospective employee who will submit them to the Canadian embassy or the Philippine Overseas Employment Administration (POEA) (if a Canadian Work Visa has already been issued).

Thus, if a Filipino worker presents his Canadian Work Visa to the POEA without POLO approval, the documents will be RETURNED to Vancouver or Toronto (eastern Canadian employers) for verification.

Because most of the LMOs for 2009 have already been sent to the Philippines, the POLO Vancouver has offered to try to facilitate the processing of workers with the POEA in Manila. Your Commission will supply them with a list of employers (name used on the LMO & contract), their Filipino workers and the total number of Filipino workers hired by that employer. They in turn will try to prevent the return of papers to Canada this year.

What do members need to do:

1. If you haven't given us your information to add to the list, contact us.
2. Submit the following (recommended Xpress Post or Courier) to:

ATTY. BERNARDINO B. JULVE  
Consular Officer-in-Charge of Labour  
Philippine Consulate General  
(Labour Office)  
814-675 W Hasting St.  
Vancouver, B.C.  
V6B 1N2

604-682-5770  
email: [vancouverpolo@yahoo.ca](mailto:vancouverpolo@yahoo.ca)

- a. LMO for each employee (3 copies)
- b. Employment Contract - All employees require one, even those positions not requiring one for the LMO application. If you create one, include the addendum items. (3 copies, original signatures)
- c. Addendum - if your employment contract does not contain any or all of the four provisions listed in the attached example. (3 copies, original signatures)
- d. Three (3) copies of an identification card of the employer or a business licence/incorporation documents for a corporation/business entity.
- e. Return Xpress Post envelope.
- f. Fees
  - Money order or bank certified cheque
  - Verification fee of \$10.00 US or Canadian equivalent "per contract" payable to the Philippines Overseas Labour Office
  - Authentication fee of \$28.75 Can "per contract" payable to the Philippine Consulate General

- g. If your employee(s) LMO(s) has already been sent to the Philippines, include a letter indicating such and that you are a member of the Alberta Beekeepers Commission.
3. Should you receive some new information or have trouble with this process, please keep the ABC Labour committee posted.

As stated earlier, we have been trying to clarify several points. We will try to update the information here as the process evolves.

It is our understanding that the employee does not need to sign the contract or the addendum before they are submitted. We recommend the submission of the 3 copies and the return envelope this year even though you should not have to forward anything to the Philippines.

**A FINAL SECURITY NOTE** – Your ABC Labour Committee has confirmed the legitimacy of POLO. They are an arm of the Philippine Government. However, several sources have warned us about forwarding copies of certain pieces of identification to any agency or business, Canadian or foreign. Citizenship Cards or Passports should never be copied. A copy of a driver's license should have the number darkened out. Businesses should only supply that which is a matter of public record, business licenses or incorporation documents.

We have not addressed the "Agency Hiring System" as we are not aware of anyone going this route. If you are or for some reason do, many red flags went up over the use of "Special Powers of Attorney" under this provision. Protect yourself and have them reviewed by legal counsel.

The final choice of what you submit is of course up to you the member.

ABC Labour Committee