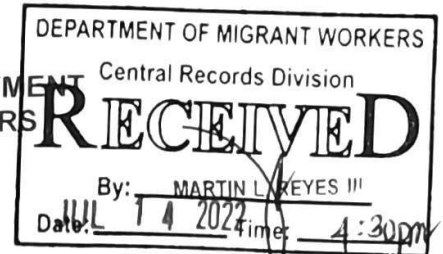


DEPARTMENT OF LABOR AND EMPLOYMENT
DEPARTMENT OF MIGRANT WORKERS
Republic of the Philippines



JOINT CIRCULAR No. 01
Series of 2022

This Joint Circular is being issued by the Department of Labor and Employment (DOLE) and the Department of Migrant Workers (DMW) to facilitate and ensure the efficient and effective implementation of Republic Act (RA) No. 11641, which created the DMW and consolidated, merged, or transferred certain agencies, powers and functions under the DOLE to the DMW. This Joint Circular is likewise issued in recognition of the powers and functions of the DMW Secretary in accordance with Section 8 of RA No. 11641, specifically to advise the President on the promulgation of executive and administrative orders pertaining to Overseas Filipino Workers (OFWs) and their families.

I. Coverage

Pursuant to Section 19 of RA No. 11641 and its Implementing Rules and Regulations (IRR) published on 22 April 2022, the agencies referred to in this Joint Circular which are consolidated or merged, or whose powers and functions are transferred from DOLE to DMW are the Philippine Overseas Employment Administration (POEA), the Philippine Overseas Labor Offices (POLOs), the International Labor Affairs Bureau (ILAB), and the National Reintegration Center for OFWs (NRCO) under the Overseas Workers Welfare Administration (OWWA). Also referred to in this Joint Circular are the OWWA and the National Maritime Polytechnic (NMP) whose status as attached agencies has been transferred from the DOLE to the DMW.

This Joint Circular covers the period of transition from the effectivity of RA No. 11641 to its full implementation, particularly until the DMW shall have been fully constituted and operational as provided for in Section 23 of the Act. It covers arrangements on the exercise of technical, quasi-judicial, rule-making powers and functions as well as the necessary administrative and financial requirements of the consolidated and merged agencies during the period of transition.

II. Governance, supervision and operation of consolidated and merged agencies

During the period of transition or until further orders and issuances, the governance, control and supervision, and provisions for the operations of the agencies covered by this Joint Circular shall be guided by the following:

1. All existing policies, rules and regulations implemented by the agencies covered by this Joint Circular, including but not limited to the 2016 Revised POEA Rules and Regulations Governing the Recruitment of Land-Based Overseas Filipino Workers and the 2016 Revised POEA Rules and Regulations Governing the Recruitment of Sea-Based Overseas Filipino Workers, shall remain in full force and effect.



2. The Governing Board of the POEA and Boards of Trustees of OWWA and NMP shall continue to exercise their policy and rule-making and related powers in accordance with their respective charters. The DOLE Secretary shall remain as Chairperson of said Governing Board and Boards of Trustees.
3. The DMW Secretary shall exercise primary administrative control and supervision over the POEA, POLOs, ILAB and NRCO, and shall exercise administrative supervision over the NMP and the OWWA.
4. Funds necessary for the continued operation of the POEA, POLOs, ILAB, NMP and NRCO for budget year 2022, including the budget for personal services, shall be sourced from the corresponding appropriated POEA, DOLE, NMP or OWWA budget under the 2022 General Appropriations Act for the POEA, POLOs, ILAB, NMP and NRCO, as the case may be, subject to all applicable laws and regulations.

III. Quasi-judicial functions of the POEA and the DOLE Secretary

The POEA Administrator shall continue to receive, hear and decide all cases under his/her original jurisdiction, in accordance with existing rules, regulations and procedures.

The DOLE Secretary shall continue to receive, hear and decide all cases under his/her appellate jurisdiction, likewise in accordance with existing rules, regulations and procedures.

IV. Issuance of license to recruitment and manning agencies

The authority of the DOLE Secretary to issue licenses to recruitment and manning agencies shall continue to be delegated to the POEA Administrator.

V. International cooperation and agreements

Consistent with No. II.3 hereof, the DMW shall assume the functions of the ILAB with regard to overseas labor migration, particularly in ensuring and monitoring the observance and implementation of the Philippines' obligations and commitments to migration-related international organizations and treaties. The DMW shall likewise coordinate with the Department of Foreign Affairs (DFA) regarding the negotiation of treaties, bilateral and multilateral agreements, compacts, and other instruments that are related to overseas labor migration.

VI. Status of and authority over officials and employees of consolidated and merged agencies

All personnel in the consolidated and merged agencies shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits, unless in the meantime they are separated from government service pursuant to existing laws. Personnel from the Philippine Foreign Service shall remain under the DFA, except those whose positions are created under Republic Act No. 8042, as amended by Republic Act No. 10022.

In the exercise of administrative authority, the DMW and DOLE Secretaries may temporarily re-assign officials or employees to positions within or among the agencies covered by this Joint Circular, subject to applicable civil service laws and regulations.

VII. Joint Management Committee

The DOLE and DMW Secretaries shall form a Joint DOLE-DMW Management Committee with the following tasks, among others:

1. To carry out the purposes of this Joint Circular including the details on the use, transfer or disbursement of the budget required within the framework of the 2022 General Appropriations Act;
2. To address operational matters arising from the implementation of this Joint Circular, or otherwise make recommendations to the DOLE and DMW Secretaries on appropriate actions to be taken; and
3. To monitor and ensure the fulfillment of the conditions for the full constitution of the DMW.

This Joint Circular shall take effect immediately.

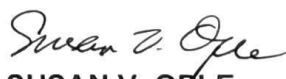

BIENVENIDO E. LAGUESMA
Secretary, DOLE

Dept. of Labor & Employment
Office of the Secretary



081988

07 July 2022


SUSAN V. OPLE
Secretary, DMW

