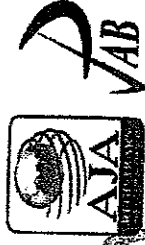


Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila



MAR 02 2018

Certificate No.: AJA15-0048

DOCKET SECTION

BY: *[Signature]*

TO: ALL REGIONAL DIRECTORS

SUBJECT: **CLARIFICATORY GUIDELINES NO. 1 SERIES OF 2018 RE: DOLE DEPARTMENT ORDER NO. 186-17 OR THE REVISED RULES FOR THE ISSUANCE OF EMPLOYMENT PERMIT TO FOREIGN NATIONALS**

To address issues raised relative to the implementation of Department Order No. 186-17 or the Revised Rules for the Issuance of Employment Permit to Foreign Nationals, below are the procedures to be undertaken by all DOLE Regional Offices (ROs) in the issuance of Alien Employment Permit (AEP):

On Section 2 (Exemption), letter (e), the same should read as follows:

- e. Permanent resident xxx ... xxx ... and Section 3 of the Alien Social Integration Act of 1995 (RA 7919).

Further, DOLE Regional Offices shall not issue Certificate of Exemption for those persons covered under Section 2 of said Department Order.

On Section 3 (Exclusion), instead of a Certificate of Exclusion, the President of the company who is holding other position(s) not included in the exclusive enumeration under Section 3 shall be required to secure an AEP.

On Section 4 (Processing and Issuance of Certificate of Exclusion), letter (a), item 2, "Certification that the requesting foreign national xxx ... xxx... xxx..." shall be required to Members of Governing Boards only.

On Section 5 (Procedure in the Processing of Applications for AEP), the AEP Revised Application Form attached herein, shall include e.g., Highest Educational Attainment, Course of Study, Endorsement of the Employer and Declaration of the applicant.

On Section 15 (Effect of Fraudulent Application for AEP Filed by Employers, Employer and Foreign National's Representatives, and/or Agents), the term "due process" shall mean:

An opportunity to explain one's side or an opportunity to seek a reconsideration of the action or ruling complained of.

There shall be as many counts of violation of this Section as there are as many applications, regardless if the same were individually or simultaneously filed. Employers and foreign national's representatives, and/or agents who found to have filed fraudulent applications shall be notified for every count thereof directing it to explain, within reasonable time, why it should not be disqualified from further filing any applications for AEP.

The DOLE Regional Office shall notify the employers and foreign national's representatives, and/or agents found to have filed fraudulent application.

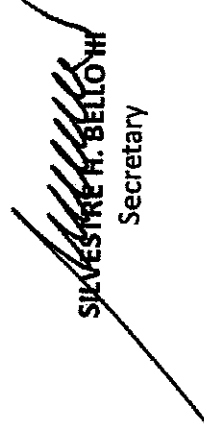
Provided finally, the Regional Director, from the receipt of the explanation or expiration of the reasonable time provide to submit the same, shall issue an Order barring employers and foreign national's representatives, and/or agents from filing of AEP application in behalf of the applicant for a period of five (5) years on the basis of commission of three counts of fraudulent application.

Further, the DOLE Regional Offices shall only accept copy of updated General Information Sheet (GIS) and Business/Mayor's Permit duly certified as true in each and every page thereof by the Security and Exchange Commission (SEC) and Business Permit and Licensing Office, respectively.

Lastly, application for renewal of AEP with expired visa or with temporary visitor's visa shall no longer be accepted.

For information and guidance.

27 FEBRUARY 2018


SILVESTRE H. BELLO III
Secretary