



Philippine  
Overseas  
Employment  
Administration

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**To: ALL CONCERNED**  
**Subject: PROCESSING OF FIRST TIMER OFWs and INELIGIBLE WORKERS AS BALIK MANGGAGAWA WORKER**

The Anti- Illegal Recruitment Branch (AIRB) was in receipt of a number of cases of deferred departure of OFWs intercepted by members of Travel Control and Enforcement Unit of the Bureau of Immigration (TCEU-BI) and Labor Assistance Center (LAC-POEA) involving first time OFWs processing themselves as *Balik- Manggagawa* workers.

Under the 2016 Revised POEA Rules and Regulations Governing All Employment of Land-based Overseas Filipino Workers, BM OEC should be issued only to an OFW who is either:

- a. **Workers-on-Leave** - OFWs who are in the Philippines for a short vacation but would return to the same employer overseas and is still under a valid and existing job contract,
- b. **Re-hires** - OFWs who returned to the Philippines after finishing an employment contract overseas but would return to the same foreign employer because they are re-hired,
- c. **POLO registered workers** - Returning workers whose employment contracts were not processed by POEA, but were verified by the Philippine Overseas Labor Office (POLO) in the jobsite. They would return to the same employer either as a worker-on-leave or rehire, regardless of any change in the jobsite.

Due to alarming increase of cases of deferred departure of OFWs because of improperly issued BM ONLINE OECs, all concerned are hereby reminded to be guided as to who can be processed as Returning Worker or *Balik-Manggagawa* under Section 40, Rule II, Part I of the above-mentioned Rules.

Concerned agencies and workers are hereby reminded that *processing of travel documents or representing* first time OFWs as *Balik-Manggagawa* constitutes *reprocessing* for recruitment agencies and *misrepresentation* for OFWs which are prohibited under the POEA Rules. They shall also be criminally liable under Section 6, (b) of Republic Act No. 8042 or the Migrant Workers and Overseas Filipino Act of 1995, as amended by Republic Act No. 10022 for *furnishing false notice, information or document in relation to recruitment* and under Section 8 of Republic Act No. 10364 or the Expanded Anti- Trafficking Act of 2013 by promoting or facilitating trafficking in persons by *producing, printing, issuing tampered or fake OECs*.

Please be guided accordingly.

  
HANS LEO J. CACDAC  
Administrator

CONTROLLED AND DISSEMINATED  
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