



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



Certificate No.: AJA15-0048

DEPARTMENT ORDER NO. 188-B
Series of 2018

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TO ALL CONCERNED:

SUBJECT : GUIDELINES ON THE IMPLEMENTATION OF THE ORGANIZATION FOR TECHNICAL INTERN TRAINING PROGRAM IN RELATION TO THE TECHNICAL INTERN TRAINING (TIT) FOR 'CARE WORKER' JOB CATEGORY

DATE : 08 AUGUST 2018

In the interest of the service and pursuant to Department Order No. 188, Series of 2018 prescribing the *Guidelines on the Implementation of the Organization for Technical Intern Training Program in Relation to the Technical Intern Training (TIT)* and in conjunction with the *Operational Guidelines for the Technical Intern Training Program Relating to Specific Occupations and Operations (Regarding the Standards for the Occupation 'Care Worker')*, the following shall be the guidelines for the 'Care Worker' job category of the Technical Intern Training Program of Japan:

- I. The 'Care Worker' job category under the Technical Intern Training Program shall be subject to Department Order No. 188 for the general guidelines and Department Order No. 188-A for the verification guidelines of POLO - Japan.

For the purposes of implementing these guidelines, a care worker is one who is engaged in caregiving in the Object Facilities as listed in Attachment A.

II. Qualifications for Care Worker Technical Intern Trainee

The following qualifications for technical intern trainees shall apply in addition to the documentary requirements as indicated in Section VI of Department Order No. 188.

1. The technical intern trainee must be at least 18 years old.
2. The trainee must have at least one (1) year work experience in the 'Care Worker' job category or in similar professions, whether abroad or locally.

3. In lieu of no. 2 above, the technical intern trainee must have completed:
 - a. Caregiving NC II certification from a TESDA-accredited training center; or
 - b. Bachelor's degree in any 4 year healthcare related course provided that they are able to submit authenticated copies of diploma and transcript of records.
4. The trainee must be a first-time participant to the Technical Intern Training Program.
5. The trainee must have completed one of the following language proficiency requirements:
 - a. Pass N4 level of the Japanese Language Proficiency Test or its practical test equivalence;
 - b. Score 350 or more in the E-F level test or 400 or more in the A-D test of the J. TEST (Test of Practical Japanese) implemented by the Japan Language Examination Association or its practical test equivalence;
 - i. If the trainee scores 400 or more in the A-D test of the J.TEST, the trainee automatically fulfills the language proficiency requirement for the 2nd year of technical intern training;
 - c. Pass at least level 4 of the Japanese language NAT-TEST or its practical test equivalence.
6. In order to qualify for the 2nd year of technical intern training, the trainee must complete one of the following language proficiency requirements within the 1st year of training in Japan:
 - a. Pass N3 Level of the Japanese Language Proficiency Test or its practical test equivalence;
 - b. Score 400 or more in the A-D level test of the J. TEST (Test of Practical Japanese) or its practical test equivalence;
 - c. Pass at least level 3 of the Japanese language NAT-TEST or its practical test equivalence.
7. Trainee care workers who are unable to pass the N3 level or equivalent within one year of the technical intern training will be disqualified to complete the training program and will be repatriated in accordance with Japanese regulations.



III. Accreditation of Supervising/Implementing Organizations at POEA

The accreditation of supervising/implementing organizations to implement the TIT for the care worker job category shall be carried out by the Philippine Overseas Employment Administration (POEA).

The following requirements for accreditation of supervising/implementing organizations are in addition to those listed in Section V of Department Order No. 188.

1. The number of technical intern trainees must not be in excess of the number set according to the total number of full-time care workers at each facility (Attachment B).
2. The implementing organization must have been in operation for at least 3 years with submission of their Company Registration as proof.
3. Proof that the implementing organization is categorized in any of the type of facilities listed in Attachment A (Object Facilities). Home-visit long-term care services are not eligible for technical intern training.

IV. Provision on Excellent Supervising Organizations

1. Only excellent supervising organizations as determined by the Organization for Technical Intern Training (OTIT) will be eligible to supervise technical intern training for the 4th and 5th year of training of care worker trainees.
2. Before proceeding with the 4th year of training, the trainee must return to the Philippines for 1 month of mandatory vacation.
3. Excellent supervising organizations can increase their allocation of technical intern trainees as indicated in Attachment B in accordance with Article 3, paragraph (2) of Public Notice No. 320 of the Ministry of Health, Labor, and Welfare of Japan.

V. Standard Internship Training Agreement / Contract

The terms and conditions of the training shall be embodied in the Standard Internship Training Agreement / Contract which shall be an integral part of these Guidelines.




VI. Effectivity

These Guidelines shall form part of Department Order No. 188, series of 2018 and as such, takes effect on the date of effectivity of the said issuance.

These Guidelines supersede any other guidelines inconsistent with the provisions herein.

For strict compliance.


SILVESTRE H. BELLO III
Secretary
Dept. of Labor & Employment
Office of the Secretary

028948

24 AUG 2018

Object Facilities

The following facilities/services are the facilities where people can engage in the work of caregiving which is recognized to be practical experience qualifying them for taking national examination of certified care worker (Excluding home-visit services such as Home-visit long-term care)

Facilities / services under the Child Welfare Law	Intensive care home for the elderly (long-term care welfare institution for the elderly)
Designated development support medical institutions	Multifunctional long-term care in small group homes
Child development support	Combined multiple service
After school day services	Communal daily long-term care for dementia patients
Facilities for children with disabilities	Preventive communal daily long-term care for dementia patients
Child development support center	Long-term care health facilities
Visiting services to day care centers	Outpatient rehabilitation service
Facilities / services of the Law on Comprehensive Support for the Daily Lives and Social Lives of Persons with Disabilities	Outpatient preventive rehabilitation service
Short-stay service	Short-term admission for recuperation
Support facilities for persons with disabilities	Short-term admission for recuperation for preventive long-term care
Care for daily life in medical facilities	Daily life long-term care for the elderly in a specified facility
Care for daily life	Daily preventive long-term care for the elderly in a specified facility
Group home with aid (group home)	Daily life long-term care for a person admitted to a community-based specified facility
Rehabilitation service	Facilities related to Public Assistance Law
Transition support for employment	Relief facilities
Continued employment support	Rehabilitation facility
Welfare home	Other social welfare facilities
Temporary day support	Community welfare center
Community life support centers	Settlement house day care services business
Facilities and services of the Law on Social Welfare for the Elderly and Long-Term Care Insurance Law	Independent Administrative Institution National Center for Persons with Severe Intellectual Disabilities, Nozominosono
1 st day-care services	Hansen's disease sanatorium
Day service center for the elderly	Atomic bomb victim nursing home
Outpatient day long-term care (including designated medical outpatient day long-term care)	Atomic bomb survivor day service program
Community-based outpatient day long-term care	Short-stay program for atomic bomb survivors
Outpatient preventive day long-term care	Work accident special nursing home business
Outpatient day long-term care for dementia patients	Hospital or clinic
Outpatient preventive day long-term care for dementia patients	Hospital
Short-term admission facility for the elderly	Clinic
Short-term admission for daily life long-term care	
Short-term admission daily life long-term care for preventive long-term care	

ATTACHMENT A

Number of technical intern trainees

The number of technical intern trainees must not be in excess of the number set according to the total number of full-time staff whose main work is caregiving (full-time care worker) (maximum is the total number of full-time care worker) at each facility.

The number of full-time care workers does not include technical intern trainees ((i), (ii), or (iii))

supervising-organization-type >

Total number of full-time care workers at the facility	Regular Implementing Organizations		Excellent Implementing Organizations	
	technical intern trainees (i)	technical intern trainees (i), (ii),	technical intern trainees (i)	technical intern trainees (i), (ii), (iii)
1	1	1	1	1
2	1	2	2	2
3 ~ 10	1	3	2	3 ~ 10
11 ~ 20	2	6	4	11 ~ 20
21 ~ 30	3	9	6	21 ~ 30
31 ~ 40	4	12	8	31 ~ 40
41 ~ 50	5	15	10	41 ~ 50
51 ~ 71	6	18	12	51 ~ 71
72 ~ 100	6	18	12	72
101 ~ 119	10	30	20	101 ~ 119
120 ~ 200	10	30	20	120
201 ~ 300	15	45	30	180
301 ~	1/20 of the total number of full-time care workers	3/20 of the total number of full-time care workers	1/10 of the total number of full-time care workers	3/5 of the total number of full-time care workers

Enterprises that the Minister of Justice and the Minister of Health, Labor and Welfare recognize as having a structure that allows continuous and stable technical intern training is the same

individual-enterprise-type >

	Regular Implementing Organizations		Excellent Implementing Organizations	
	technical intern trainees (i)	technical intern trainees (i), (ii),	technical intern trainees (i)	technical intern trainees (i), (ii), (iii)
	1/20 of the total number of full-time care workers	3/20 of the total number of full-time care workers	1/10 of the total number of full-time care workers	3/5 of the total number of full-time care workers

**ADDENDUM
TO THE EMPLOYMENT CONTRACT FOR TECHNICAL INTERN TRAINING
For CARE WORKER JOB CATEGORY**

The **Implementing Organization as the Employer** and the **Technical Intern Trainee-Care Worker as the Employee**, agree to the addition of the following provisions to the Employment Contract pursuant to Section 136 Rule I, Part V of the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016:

1. Medical and insurance coverage of the Technical Intern Trainee-Care Worker shall be provided by the Supervising Organization before the provision of mandatory health and social insurance in Japan.
2. The cost of two-way transportation of the Technical Intern Trainee-Care Worker to and from Japan shall be provided by the Implementing Organization, including during mandatory vacations and in cases stated under 5.a, Termination by Employer.
3. Termination:
 - a. Termination by Employer: The Implementing Organization (Employer) may terminate this Contract based on any of the just and authorized causes provided under Philippine and Japanese law and jurisprudence including, but not limited to the following: serious misconduct, willful disobedience of employer's lawful orders, habitual neglect of duties, absenteeism, insubordination, revealing secrets of establishment, violation of the customs, traditions and laws of Japan and/or terms of this Contract, refusal to undergo and complete the required lecture period, failure to pass the N3 Level of the Japanese Language Proficiency Test or its practical test equivalence within the 1st year of training in Japan, and failure to pass any other relevant examination for care worker as required by the competent authorities in Japan. The Implementing Organization shall pay the cost of repatriation back to the Philippines.
 - b. The Implementing Organization (Employer) may likewise terminate this Contract for Technical Intern Trainee-Care Worker's offenses constituting grounds for disciplinary action against workers under Section 145, Rule V, Part VI of the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016. When the technical intern training contract is terminated by the employer under these circumstances, the Technical Intern Trainee-Care Worker shall shoulder the cost of his/her repatriation.
 - c. Termination by Technical Intern Trainee-Care Worker: The Technical Intern Trainee-Care Worker (Employee) may terminate this Contract without serving any notice to the Implementing Organization (Employer) for any of the following just causes: serious insult by the Implementing Organization or his representative, inhuman and unbearable treatment accorded the technical intern trainee by the Implementing Organization or his representative, commission of a crime/offense by the Implementing Organization or his representative.

Further, the Technical Intern Trainee-Care Worker may terminate this Contract for Employer's offenses constituting grounds for disciplinary action against principals/employers under Section 144, Rule IV, Part VI of the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016. Implementing Organization shall pay the repatriation expenses back to the Philippines.

- d. The Technical Intern Trainee-Care Worker may terminate this Contract without just cause by serving one (1) month advance written notice to the Implementing Organization. The Implementing Organization upon whom no such notice was served may hold the technical intern trainees liable for damages. In such case, the Technical Intern Trainee-Care Worker shall shoulder all expenses relative to his repatriation back to the Philippines.
 - e. Termination due to illness: Either party may terminate the contract on the ground of illness, disease or injury suffered by the technical intern trainee. Under these circumstances, the Implementing Organization shall shoulder all expenses relative to the Technical Intern Trainee-Care Worker's repatriation to his/her point of origin.
4. In the event of the death of the Technical Intern Trainee-Care Worker from the date he first arrived in Japan and during the effectivity of the Employment Contract for Technical Intern Training attached herewith, his/her remains and personal belongings, shall be repatriated to the Philippines at the expense of the Supervising Organization. In case the repatriation of remains is not possible, the same may be disposed of upon approval of the Technical Intern Trainee-Care Worker's next-of-kin and/or by the Philippine Embassy/Consulate nearest the jobsite. In case of cremation, which is a common practice in Japanese culture, the deceased's ashes should be sent back to the family or his/her next-of-kin in the Philippines.
 5. Settlement of disputes: All claims and complaints relative to the employment contract for technical intern training shall be settled in accordance with the company policies, rules and regulations. In case the Technical Intern Trainee-Care Worker contests the decision of the Implementing Organization or the Supervising Organization, the matter shall be settled amicably with the participation of the Labor Attaché or any authorized representative of the Philippine Embassy/Consulate nearest the site of employment. In case amicable settlement fails, the matter shall be submitted to the competent or appropriate government body in Japan or in the Philippines, if permissible by Japanese laws, at the option of the complaining party.
 6. Statutory Deductions from wages: In accordance with the Tax Laws of Japan, the Technical Intern Trainee-Care Worker's wages shall be subject to taxation which shall be withheld at source.

For the purpose of transparency, all deductions from the wages and benefits of the interns should be enumerated in the Contract and should be in accordance with the labor laws of Japan.

This Addendum shall be an integral part of the Employment Contract which shall be in full force and effect.

IN WITNESS WHEREOF, we hereby sign this Contract this ___ day of _____, year _____, at our respective countries.

IMPLEMENTING ORGANIZATION
(Direct Employer)

_____ Date: _____
(Employer's Printed Name and Signature)

TECHNICAL INTERN TRAINEE
(Employee-Care Worker)

_____ Date: _____
(Employee's Printed Name and Signature)

SUPERVISING ORGANIZATION
(Principal)

_____ Date: _____
(Principal's Printed Name and Signature)

SENDING ORGANIZATION
(PRA)

_____ Date: _____