



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



TO : ALL REGIONAL DIRECTORS

SUBJECT : SUPPLEMENTAL AND CLARIFICATORY GUIDELINES FOR THE ISSUANCE OF EMPLOYMENT PERMITS TO FOREIGN NATIONALS NO. 1, SERIES OF 2021

Relative to the implementation of Department Order No. 221-21 or the Revised Rules and Regulations for the Issuance of Employment Permits to Foreign Nationals, particularly Section 5. *Labor Market Test (LMT)*, publication of job vacancy/ies by the employer/s shall also be required on all new Alien Employment Permit (AEP) applications based on the following scenario or circumstances:

1. Change in the position of the foreign national; and
2. Application without appropriate visa by the time of renewal shall be treated as new and likewise be penalized accordingly.

Publication of job vacancy/ies shall be valid and effective within **forty-five (45) days** from the date of publication in a newspaper of general circulation, effectively amending AEP Advisory No. 4, series of 2021.

It should be noted that **appointive** or **elective** position(s) either duly certified by the Board of Directors through its Board Secretary through a Board Resolution or per company's Articles of Incorporation and General Information Sheet (GIS), or its equivalent shall be exempted from the requirement of publication of vacancy/ies by employers.

Labor Market Test (LMT) shall be conducted by the DOLE Regional Offices (ROs) concerned on applications for AEP renewal due to transfer of the company/establishment to another region.

All other requirements relative to the publication shall be deemed mandatory per Section 5 of Department Order No. 221-21.

For information and guidance.


SILVESTRE H. BELLO III
Secretary

___ July 2021