



MARITIME INDUSTRY AUTHORITY

45 years of dedicated service anchored on Professionalism, Integrity and Excellence

MEMORANDUM CIRCULAR NO. SC-2019-02

Series of 2019

TO : ALL SEAFARERS, MANNING AGENCIES, SHIPPING, COMPANIES, MARITIME TRAINING INSTITUTIONS, MARITIME HIGHER EDUCATION INSTITUTIONS AND OTHER MARITIME INDUSTRY STAKEHOLDERS CONCERNED

SUBJECT : GUIDELINES IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 11261, OTHERWISE KNOWN AS THE "FIRST TIME JOBSEEKERS ASSISTANCE ACT" AND ITS IRR

Pursuant to Presidential Decree 474, Executive Order No. 125/125-A and in compliance with Section 13 of R.A. No. 11261 or the First Time Jobseekers Assistance Act, the following guideline is issued:

I. OBJECTIVES

To promote full employment and equality to gainful work and expand opportunities for citizens in the maritime sector. As such, the Authority expands accessibility to government services and provides incentives to improve first time jobseeker's access to employment.

To provide guideline in the implementation of R.A. No. 11261 or the First Time Jobseekers Assistance Act and its Implementing Rules and Regulations in the maritime sector.

II. COVERAGE

1. **BENEFICIARIES COVERED.** The beneficiaries of the Circular must be a:

- a) Filipino citizen;
- b) First time jobseeker;
- c) First time applicant for certification under Item V of this Circular;
- d) Actively looking for employment; and
- e) Resident of the barangay issuing the barangay certification for at least six (6) months.

Any person availing of the benefits under this Circular shall secure and present the original copy of a Barangay Certification (Form 1) stating that he/she is a first time jobseeker and a resident of the Barangay issuing said certification for at least six (6) months.

The validity of the availment of the benefits under this Circular shall be one (1) year from the issuance of Barangay Certificate.

2. **EXEMPTION.** The beneficiaries of the JobStart Program under R.A. No. 10869 and other laws that give similar exemptions for the documents or transactions enumerated herein shall not be qualified to avail the benefits under R.A. No. 11261.

III. DEFINITION OF TERMS

1. **Act** – refers to the Act Waiving Government Fees and Charges in the Issuance of Documents Required in the Application for Employment of First Time Jobseekers otherwise known as the “First Time Jobseekers Act” (R.A. No. 11261).
2. **Barangay Certification** – means the document issued by a barangay certifying that the person named therein is a first time applicant for certifications and a resident of the issuing barangay for at least six (6) months as of issuance date of such document.
3. **Employment** - exists when a person performs work or services under certain conditions in return for remuneration or pay, whether in formal or informal setting, except those entrepreneurs/business owners, independent contractors, and beneficiaries of government programs such as Government Internship Program, Special Program for Employment of Students, and other similar programs.
4. **First Time Jobseeker** - a Filipino citizen, who is actively seeking employment, locally or abroad, for the first time, as certified by the barangay of which he/she is a resident for the said purpose, particularly:
 - a) Graduates from all schools, colleges, and universities, and learning institutions offering technical-vocational courses.
 - b) For purposes of this Rules, a graduate is a Filipino who finished a bachelor's degree from any college or university, or completed a technical-vocational course from any learning institution in the Philippines, as well as high school graduates who have completed the K-12 program;
 - c) An early school leaver or out of school youth (OSY);
 - d) A person who has never been employed, not presently employed or engaged in education or training, who was not previously enrolled in any educational institution or who has not finished secondary education;
 - e) A student taking a leave of absence from an institution offering college or tertiary education or from a technical-vocational course; or

- f) Any person intending to work while enrolled in any school, college, university, or learning institution offering technical and vocational courses.
5. **Oath of Undertaking** – a document duly accomplished by the first time jobseeker to abide and be bound by the conditions imposed upon him/her and executed before the Punong Barangay or the latter's authorized officer. (Form 2)

IV. GENERAL PROVISIONS

1. **WAIVER OF FEES AND CHARGES.** This Authority shall not collect fees or charges from a first time jobseeker; Provided that such fee or charge is in connection with the application for and granting of the certificates specifically covered in this Circular; Provided further, that the benefit provided under this Circular shall only be availed once and for one copy of the document or transaction.
2. **RESPONSIBILITIES OF THE JOBSEEKER.** To ensure the successful implementation of the Circular, the following must be observed by the first time jobseeker:
 - a. Secure the Barangay Certification from his/her place of residence; and
 - b. Complete the requirements for certification under Item V of this Circular
3. **INTERPRETATION IN FAVOR OF THE APPLICANT.** In all cases, any ambiguity in the interpretation of the provisions of this Circular shall be in favor of the applicant.

V. SPECIFIC PROVISION

Subject to the requirements in Annex A, no fees and charges shall be collected from the first time jobseekers when obtaining the following:

- a. Certificate of Proficiency in Basic Training (COP BT); and
- b. Certificate of Proficiency in Ship Security Awareness Training and Seafarers with Designated Security Duties (COP SSAT-SDSD).

VI. REPORTORIAL REQUIREMENTS

The STCWO shall provide the Management Information System Services (MISS) with the relevant data for reporting purposes in accordance with the requirements of the Act using the Roster of Beneficiaries/Avalees and Monthly Summary of Avalees/Beneficiaries

VII. FINAL PROVISIONS

1. **DISPUTE RESOLUTION.** If there are disputes arising from the implementation of this Circular, the first-time jobseeker shall seek redress through a complaint addressed to the Office of the Administrator through the Legal Service or the Maritime Regional Director in cases arising in their area of concern.

2. **PENAL PROVISION.** Any person found guilty of fabrication or falsification of any document shall be liable under the Revised Penal Code.
3. **FUNDING.** The amount necessary for the implementation of this Circular shall be charged against STCWO funds subject to the usual budgeting, accounting and auditing rules and regulations.
4. **SEPARABILITY CLAUSE.** If any provision of this Circular is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereby.
5. **REPEALING CLAUSE.** All issuances, ordinances, resolutions, rules, and regulations, or parts thereof inconsistent with this Circular are hereby repealed or amended accordingly.

VIII. EFFECTIVITY CLAUSE

This MARINA Circular will take effect fifteen (15) days after its publication on a newspaper of general circulation in the Philippines.

Manila, Philippines.

By Authority of the MARINA BOARD:



VADM NARCISO A VINGSON JR
Officer-In-Charge
Office of the Administrator

SECRETARY'S CERTIFICATE

This is to certify that the foregoing MEMORANDUM CIRCULAR NO.SC-2019-02 has been approved by the MARINA Board in its 272nd Regular Board Meeting held on 25 October 2019.



ATTY. EUSEBIA CADLUM-BOCO
Corporate Board Secretary

Date of Publication: 29 November 2019

Business Mirror

Date of Submission to ONAR:

DOCUMENTARY REQUIREMENTS

The application for the first time jobseeker applicants shall be made through the MARINA Integrated Seafarers' Management Online (MISMO) System and the following are the requirements:

1. For COP BT

- a. Basic Training
- b. SIRB or any valid government identification document
- c. Medical fitness
- d. Barangay Certification (original copy)
- e. Oath of Undertaking (photocopy)

2. For COP SSAT-SDSD

- a. SSAT-SDSD Training
- b. SIRB or any valid government identification document
- c. Medical fitness
- d. Barangay Certification (original copy)
- e. Oath of Undertaking (photocopy)

(Bgy Letterhead)

BARANGAY CERTIFICATION

(First Time Jobseekers Assistance Act - RA 11261)

This is to certify that Mr./Ms. _____, a resident of Bgy. _____ Zone _____ for _____ years/months, is a qualified avallee of RA 11261 or the *First Time Jobseekers Act of 2019*.

I further certify that the holder/bearer was informed of his/her rights, including the duties and responsibilities accorded by RA 11261 through the **Oath of Undertaking** he/she has signed and executed in the presence of our Barangay Official.

Signed this _____ day of _____, 20_____
In the City/Municipality of _____

This certification is valid only _____ (one (1) year from the issuance).

Punong Barangay

Date

Witnessed by:

Barangay Official/Designation/Position

Date

OATH OF UNDERTAKING

I, _____, _____ years of age, resident of Bgy _____ Zone _____, for _____ (years/months), availing the benefits of Republic Act 11261, otherwise known as the First Time Jobseekers Act of 2019, do hereby declare, agree and undertake to abide and be bound by the following:

1. That this is the first time that I will actively look for a job, and therefore requesting that a Barangay Certification be issued in my favor to avail the benefits of the law;
2. That I am aware that the benefit and privilege/s under the said law shall be valid only for one (1) year from the date that the Barangay Certification is issued;
3. That I can avail the benefits of the law only once;
4. That I understand that my personal information shall be included in the Roster/List of First Time Jobseekers and will not be used for any unlawful purpose;
5. That I will inform and/or report to the Barangay personally, through text or other means, or through my family/relatives once I get employed; and
6. That I am not a beneficiary of the JobStart Program under R.A. No. 10869 and other laws that give similar exemptions for the documents or transactions exempted under R.A No. 11261
7. That if issued the requested Certification, I will not use the same in any fraud, neither falsify nor help and/or assist in the fabrication of the said certification.
8. That this undertaking is made solely for the purpose of obtaining a Barangay Certification consistent with the objective of R.A. No. 11261 and not for any other purpose.
9. That I consent to the use of my personal information pursuant to the Data Privacy Act and other applicable laws, rules, and regulations.

Signed this _____ day of _____, 20_____, in the City/Municipality of _____

First Time Jobseeker

Witnessed by:

Barangay Official/Designation/Position

Date