

Evaluation on the Role to be played for Ensuring the Qualitative Improvement in the Foreign Employment Sector



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1. Executive Summary

The foreign employment sector makes a remarkable contribution to the national income of Sri Lanka, and according to the statistics of the Central Bank of Sri Lanka, an income of Rs. 1,138,124 had been earned through that sector in the year 2018. The said amount is equivalent to 7.55 per cent of the national income that can be expended, and represented 96 per cent of the foreign exchange earnings. Furthermore, having contributed to decrease the unemployment in the country to 4.41 per cent, the foreign employment sector makes an enormous impact on the national economy of Sri Lanka.

The demand for unskilled workers in the job market had become limited due to reasons such as: the likely fluctuations in the foreign labour market with respect to the demand for labour in consequence of economic depression, political turmoil and clashes, changes in policies restricting migrant labour, automation and technological breakthroughs, and competition among countries providing labour exports. As such, measures required for the improvement of technical and vocational training process should be taken in accordance with international standards to strengthen the supply of skilled labour thereby paving way for the Sri Lankan workers to enter the semi-skilled and skilled labour market thriving in difference areas thus discouraging the unskilled workers proceeding abroad. The plight of females migrating for foreign employment have given rise to certain unfavourable issues at present such as, social crisis, exploitation of labour, non-payment or underpayment, and violation of human rights, physical abuse, for instance.

The recruitment of female migrant workers in the foreign employment sector in the Middle East region has become decisive at the present day, and the crises, having arisen there from, have become a hindrance to the qualitative growth in this sector, are the facts on which careful attention was drawn in this audit. With a view to implementing the national policies and executing action plans relating to the sector so as to bring changes to the situation mentioned, it is the objective of this audit to evaluate the role being played for promoting the foreign employment sector by the

Ministry of Foreign Employment, the main entity that regulates this sector together with the Bureau of Foreign Employment affiliated thereto along with the Ministry of Vocational Training , the key institution responsible for creating skilled workers and the vocational training institutions functioning there under. It is the scope of this audit to analyze current trends in the foreign employment sector, identification of factors necessary for a qualitative improvement in that sector, and elaboration on miscellaneous institutions related to the foreign employment.

Although the foreign employment sector has become a strengthening factor for the local economy, it is felt that the country needs a long-drawn-out strategy which should be able to ensure a powerful economy thereby retaining the labour of the youth within the country. As for such a strategy, it is necessary to consider the social impact caused by the foreign labourers migrated from countries such as, India, Maldives, and China due to scarcity of labour prevailing in several industries in Sri Lanka - specially the construction industry, whilst taking into account the long term effects.

2. Introduction

2.1 Background

Labour migration has become a focal point of discussion in the international arena. As a solution to the unemployment prevailing in the underdeveloped countries such as Sri Lanka, labour migration is rapidly taking place for the Middle Eastern countries and the developing countries such as, Korea, China, and Malaysia as well as the developed countries like Japan, America, and Italy. A remarkable growth was indicated with respect to Sri Lankans migrating for foreign employment opportunities consequent to the inception of open economy. Considering the contribution made to the national economy and the various social crises arising due to labour migration at the present day, attention should promptly be drawn on the qualitative improvement of the sector.

2.1.1 Ministry of Foreign Employment

Having considered the contribution made to the national economy and the various social issues arising due to foreign employment, a separate Ministry was established for this subject which hitherto belonged to the scopes of other Ministries, through the Gazette Extraordinary, dated 21 September 2015 focusing on the following objectives:

- a) Formulation of policies programmes and projects, monitoring and evaluation in regard to the subject of foreign employment, and those subjects that come under the purview of Institutions.
- b) Provide solutions to employment problems of migrant workers and promote their welfare.
- c) Introduction of new laws to ensure the protection of migrant workers.
- d) Regulation and supervision of employment agencies.
- e) Matters relating to all other subjects assigned to Institutions under purview of the Ministry.
- f) Supervision of the Organizations under purview of the Ministry.

2.1.2 Sri Lanka Bureau of Foreign Employment

The Sri Lanka Bureau of Foreign Employment currently functioning under the Ministry of Skills Development, Employment & Labour Relations after being established through the Act, No. 21 of 1985, is the main Government institution that regulates the overall labour migration of the country.

This institution established with the mission of creating efficient and equitable pathways for people to benefit from their skills in overseas employment markets securing interests of all stakeholders while contributing to economic growth, functions under the objectives of: to promote and increase employment opportunities outside Sri Lanka for its citizens, to assist and regulate foreign employment sector, and ensuring welfare and safety of foreign employees and their family members.

The Bureau has established labour welfare divisions in 16 foreign missions in order to achieve the said objective. Twelve safe houses are maintained under the said divisions for the temporary accommodation of migrant workers who face undesirable experiences. In the year 2018, the Bureau had spent a sum of Rs. 744,360,068 comprising sums of Rs. 663,811,831 and Rs. 80,548,237 for salaries & other facilities, and other activities respectively in regard to the 138 officers attached to the foreign missions. Additionally, 10 training centres were maintained island wide for orientation and training purposes of the migrant workers. In order to further enhance the services rendered to the foreign employees and their family members, 919 Development Officers had been recruited under the Ministry of Foreign Employment and attached to 331 Divisional Secretariats. Furthermore, this service had further been strengthened through 06 divisional offices of the Sri Lanka Bureau of Foreign Employment.

2.1.3 Sri Lanka Foreign Employment Agency (Pvt) Ltd

The Sri Lanka Foreign Employment Agency (Pvt) Ltd, fully owned by the Sri Lanka Bureau of Foreign Employment, had been established under the Companies Act, No. 07 of 2007. According to the Memorandum of Articles of the Company, the Company is capable of making profits by competing with privately-owned employment agencies concerning areas such as, supply of Sri Lankan workers for all areas and acting as an agent/consultant, conducting awareness & training programmes, and meeting the demand for jobs. Moreover, this Company is the only institution

sponsored by the Government for those activities. However, only 662 of the 211,459 foreign workers migrated in the year 2018, had proceeded abroad through that Company.

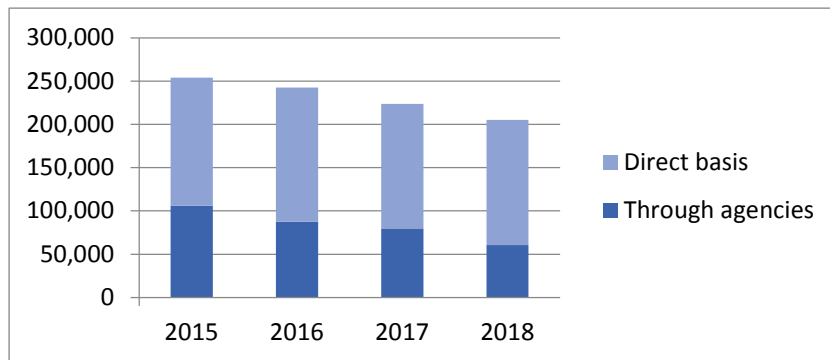
Eight employment orders comprising 835 job opportunities had been obtained in the year 2018 following the direct involvement of the Company. However, job opportunities had been provided only for 75 of them. The number of countries to which the Agency had sent workers during the period 2013-2018, had gradually decreased before reaching 05.

2.1.4 Modern Trends in the Foreign Employment Sector

Some of the audit observations relating to the current progress of this sector are as follows.

- a) According to the annual report of the Central Bank of Sri Lanka, the labour force of the country was 8,388,000 in the year 2018, and unemployment represented 4.41 per cent there from which was equivalent to 373,000. The unemployment among those with G.C.E. (AL) or higher was 9.1 per cent. The non-alignment between skills and job opportunities available in the labour market had also paved way for underemployment in the country. As a solution to that scenario, a trend was observed with Sri Lankan workers migrating for foreign employment.
- b) According to the audit test check conducted on the 04 preceding years, 925,433 workers had left for foreign employment after being registered with Sri Lanka Bureau of Foreign Employment. The number of workers being 254,060 in the year 2015 had gradually decreased during the past several years and become 205,118 by the year 2018. Similarly, it was observed that the number of workers leaving for foreign employment through the foreign employment agencies was also on the decline.

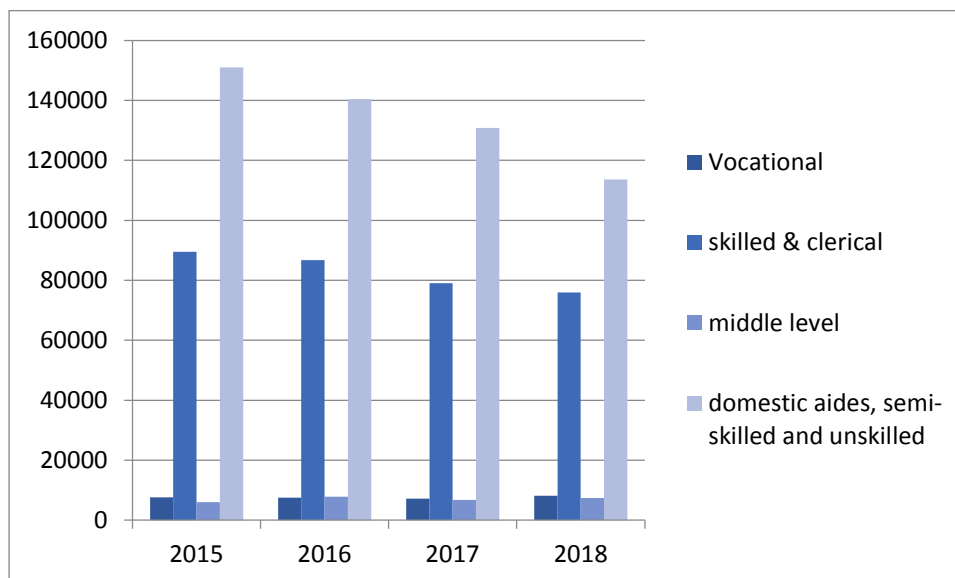
Total number of migrations taken place for foreign employment



Source: Sri Lanka Bureau of Foreign Employment.

- c) Fifty eight per cent of the 925,433 migrations that took place during the 04 preceding years, had been attributable to domestic aides, and semi-skilled or unskilled workers. Furthermore, migrations for the professional and skilled job opportunities had been as low as 39 per cent. This situation had become an obstacle for the country in obtaining a favourable outcome through the foreign employment sector.

Migrations according to classification of services

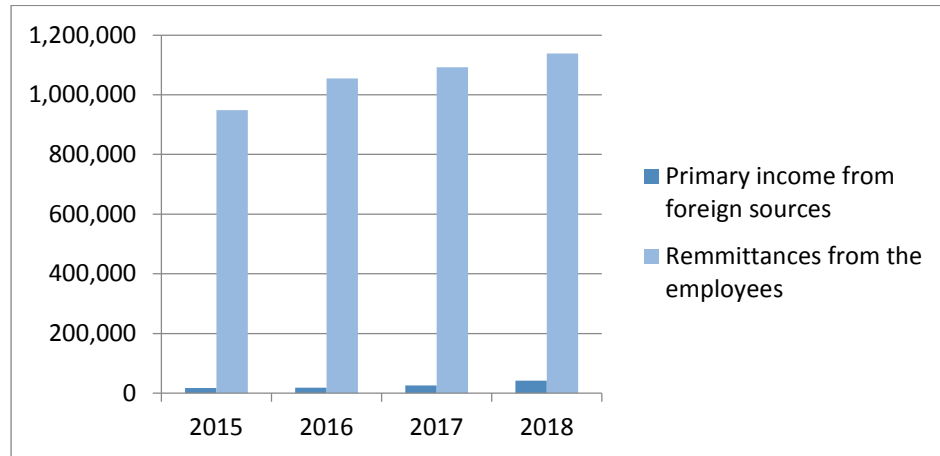


Source: Sri Lanka Bureau of Foreign Employment.

- d) The remittances of the foreign employees that amounted to Rs. 949 billion in the year 2015 had gradually increased during the past several years and reached

Rs.1, 138 billion by the year 2018. That represented 96.29 per cent of the total foreign exchange earnings amounting to Rs. 1,182 billion.

Foreign exchange earnings



Source: Annual Report of the Central Bank of Sri Lanka 2018.

2.2 Authority for Audit

The performance audit was carried out under my direction in pursuance of provisions in Article 154 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions in Section 03 of the National Audit Act No. 19 of 2018.

2.3 Basis for Audit

Considering the remarkable contribution made by the foreign employment sector to the national income of Sri Lanka, the doubt arose as to whether a sufficient procedure was implemented with respect to the security and welfare of the migrant workers. It was observed that examining as to whether sufficient measures had been taken by the relevant institutions for obtaining more favourable employment opportunities, would be crucial for the improvement of this sector.

2.4 Objectives of the Audit

- (i.) To evaluate the role played by institutions related to this sector in view of a quantitative and qualitative improvement in the foreign employment sector by sending skilled workers for more favourable employment opportunities.
- (ii.) To analyze current trends in the foreign employment sector.
- (iii.) To elaborate upon the social and economic crises that occurs due to unskilled workers proceeding abroad for foreign employment.

- (iv.) To evaluate the preparedness in the field of vocational training for creating workers with vocational skills to be in line with the demand for labour in foreign market.

2.5 Scope of Audit and Limitations of the Scope

- a) This performance audit was carried out on sample basis by taking into account the limited time and human resources allocated to the audit. Minutes of the relevant meetings, agreements entered into between foreign countries, and implementation of national and international policies relating to labour migration were examined in order to evaluate the role played by the Ministry of Foreign Employment for promoting the sector together with the foreign & local, and state & non-state institutions or organizations relating to this sector. With a view to examining as to whether the institutions involved in vocational training had planned and conducted vocational training courses to be in line with the demand for foreign employment opportunities, information relating to 06 vocational training institutions including Tertiary & Vocational Education Commission, Vocational Training Authority of Sri Lanka, and Department of Technical Education and Training, was analyzed. Likely, the Programmes that were implemented and scheduled to be implemented by the Sri Lanka Bureau of Foreign Employment for directing skilled workers to foreign employments were examined. Research papers related to that and reports published in printed media by various scholars were used to study the new trends in the field.
- b) This audit was conducted subject to the limitations of scope such as the non-availability of an updated and centralized information system related to the field and a centralized information system regarding the number of persons added to the labour force annually after acquiring vocational training from training institutions, lack of accurate and updated information on the number of persons directed to foreign employments through other informal methods without registering with the Bureau and service classification that is required by the audit as well as inadequate time to attend the field and to check the present living standards of the workers, who had returned to the country after being employed in foreign countries.

2.6 Audit Criteria

- (a) Section 15 of the Sri Lanka Bureau of Foreign Employment Act, No. 21 of 1985
- (b) Sri Lanka National Policy on Labour Migration
- (c) Action Plan related to the Sri Lanka National Policy on Labour Migration
- (d) Master Plan and Action Plan under the National Human Resources and Employment Policy of Sri Lanka
- (e) Migration Governance Indicators
- (f) Analysis of fields, to which National Vocational Qualifications Certificates are granted

2.7 Related Institutions

The following institutions, apart from the Ministry of Foreign Employment, which holds the direct responsibility of regulating and operating this field and Sri Lanka Bureau of Foreign Employment and Foreign Employment Agencies, are involved in the activities related to the foreign employment field and those institutions are able to accomplish a significant role in the advancement of this field.

Institution -----	Role that can be Accomplished -----
(a) Ministry of Foreign Affairs	Directing State policies on foreign affairs.
(b) Foreign Missions	Getting more favourable employment opportunities to the Country.
(c) Ministry of Skills Development and Vocational Training and Vocational Training Institutions under the purview of the Ministry.	Training of workers to suit the need in the foreign employment field.
(d) Tertiary & Vocational Education Commission	Provision of National Vocational Qualification (NVQ) Certificates.
(e) National Human Resources Development Council of Sri Lanka	Conducting researches on the behaviour of the foreign employment market and submission of recommendations.

- (f) Ministry of Education Development of curricula in a manner that the fundamental task for the promotion of the vocational education field is accomplished through school.

3. Audit Observations and Recommendations

3.1 Institutional Background and Preparedness

3.1.1 National Policies on Labour Migration and Action Plans

Sri Lanka National Policy on Labour Migration, Sub policy and National Action Plan on Return and Reintegration of Migrant Workers of Sri Lanka and the National Action Plan are the major national policies that are nationally in effect per training to the labour migration. Attention has been focused on “protecting labour rights and promoting safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.” under the target 8.8 of the sustainable development goals.

Furthermore, the attention has been focused in relation to the labour migration and particularly the significance of directing skilled migrant workers for foreign employment market in the formulation of policies such as the National Human Rights Policy, the National Human Resources and Employment Policy of Sri Lanka and national policies / Statutes pertaining to the purview of each Ministry by various Ministries and Government Institutions such as the Ministry of Science, Technology, Research, Skills Development and Vocational Training and Upcountry Development, Ministry of Labour Relations and Sabaragamuwa Development, National Apprenticeship and Industrial Training Authority, Tertiary & Vocational Education Commission (TVEC) etc. However, it was observed at the audit that those plans and recommendations had only been limited to documents. Some examples are given below.

(a) Sri Lanka National Policy on Labour Migration

The following recommendations have been stipulated in this policy on labour migration.

- i. Capacity building of unskilled workers should be the target in the overall training plans of the Sri Lanka Bureau of Foreign Employment and institutions that provide vocational training in Sri Lanka.
- ii. It should be a programme, including methodologies such as Pre-departure Orientation and Training (POT), proficiency, language competency, understanding on the culture, awareness on the rights, privileges, duty, complaints that are specific to the migrating country and members of the families of the migrant workers are also participating in this Programme.
- iii. Uplifting the skills of the workers, who have migrated and who intend to migrate for foreign employments, with the participation of the public and the private sectors, may assist in the direction of skilled workers to foreign employments.

Since Sri Lanka Bureau of Foreign Employment is not an institution established for vocational training, arrangements should have been made to achieve the above targets by linking government and non-government vocational training institutions in the country. However, such a programme has not yet been implemented. Although Sri Lanka Bureau of Foreign Employment (SLBFE) is conducting Pre-departure Orientation and Training (POT) for workers migrate to Korea and Japan with the direct intervention of those countries, it is not possible to provide a systematic training through short-term training programmes implemented at present by the Bureau for the workers, who seek employment opportunities in the Middle East countries, which is currently in a crisis situation.

(b) Sustainable Development Goals

According to target 8.8 of the Sustainable Development Goals, labour rights must be protected and safe and secure working environments must be promoted for all workers, including migrant workers, in particular women migrants, and those in precarious employment. Accordingly, the Goals of the Plans of the Ministry of Foreign Employment and the Sri Lanka Bureau of Foreign Employment should be in line with these Sustainable Development Goals. There should be a change in the direction of persons for overseas employment, viz, plans should be made to gradually reduce the number of unskilled, semi-skilled and domestic workers seeking employment and to direct skilled workers for more

lucrative employment opportunities. However, the Bureau had not targeted to direct skilled workers for foreign employment through the main or mini functions of the action plan prepared by it with the objective of achieving the Sustainable Development Goals. It was also observed, according to the matters indicated in chapter 1.2.4 (d) and chapter 3 of this Report, that no programme had been implemented to achieve those goals although two years had elapsed since the establishment of the above Sustainable Development Goals.

(c) Sub Policy and National Action Plan on Return and Reintegration of Migrant Workers of Sri Lanka

It had been stated in this policy that Sri Lankan migrant worker success quality employment and higher salaries with upgraded skills.

(d) National Human Rights Action Plan

It is stated in the Plan that the skills of migrant workers should be upgraded.

(e) National Human Resources and Employment Policy of Sri Lanka

It is stated in the plan that skilled & safe migration should be ensured and that there should be a young workforce that could be employed globally.

Although a programme should be implemented with the direct intervention of the relevant Ministry in charge of the Subject to execute the recommendations of all the above National Policies and Action Plans, it was observed that this sector is reaching a critical stage as described in the following paragraphs since such an intervention had not been taken place.

3.1.2 Implementation of Recommendations on National Policies and Action Plans on Labour Migration

It was observed that a formal mechanism involving all relevant institutions had not been put in place as yet to implement the recommendations contained in the National Policies and Action Plans on labour migration. A few examples are given below.

- (a) Even though the Advisory Committee, which was established in accordance with the “National Labour Migrant Policy” (NLMP), the key national policy on labour migration in Sri Lanka, for the purpose of reviewing the migration process, and identifying errors and risks, taking follow-up actions with regard to

labour market changes and providing counselling on all aspects of migration process, was required to hold meetings as per the recommendations of this policy, no meetings were held in 2018 and only one meeting in 2017 and another meeting in the year 2019 had been held. Similarly, the decisions taken at those meetings and information needed to assess the contribution made towards the advancement of the foreign employment sector through the implementation of those decisions were not reported. Similarly, the following matters included in this National Policy had not been implemented.

- i.** In terms of the National Labour Migration Policy (NLMP), an inter-ministerial committee should be established to coordinate and maintain all stakeholders in addition to the aforementioned Advisory Committee, whereas no information had been reported on whether such a committee had been set up or was functioning actively.

- ii.** As stated in the aforesaid policy and the plan, the Government will make necessary arrangements to ensure to provide all migrant workers with comprehensive training as part of the security assurance strategy and to make the most of the migration process, and that steps will be taken to provide training in line with accepted standards and practices for approval by host countries. However, no active intervention had been made by the Ministry of Foreign Employment for that purpose and the Bureau, which is actively involved in the training of migrants, had also not acted in line with the intended objective.

- iii.** As part of National Development Plan to maximize the benefits of the migration process, the government institutions and ministries which dealing with foreign employment to improve the skills of migrant workers to facilitate access to better pay, security and employment opportunities for those with positive earnings, should empower policy agreements and planning and human resource development. To this end, the National Human Resource Development Plan should take into account the demands of skilled workers who have proceeded abroad. Likely, in order to create a globally competitive workforce, to facilitate the migration of skilled

workers by providing opportunities through public-private partnerships to enhance the skills of migrant workers and the prospective migrant workers, to identify and provide the skills required for foreign employment, a coordination between the other Ministries, Authorities and the Private Sector should be set in motion. But that program had not been implemented.

iv. In order to protect the rights of migrant workers and promote foreign employment opportunities, the government should take steps to enter into bilateral agreements with countries that accept workers and promote the sending of workers. Likely, in the absence of such bilateral agreements, detailed Memorandums of Understanding (MOU) containing regulatory and accountability structures should be entered into and those activities should be regulated by the Advisory Committee on Labour Migration. Although the Ministry had entered into agreements with various countries in this regard, the intervention of the Ministry and other responsible agencies was not at a sufficient level to keep those agreements up to date.

(b) Although the audit had been informed that the Ministry of Foreign Employment had participated in 8 meetings regarding the implementation of the National Human Rights Policy, the information related to the implementation of the decisions taken at those meetings and the participation in the implementation of other policies in 2018 was not submitted for audit.

(c) Sections from 248 to 262 of the National Human Resources and Employment Policy formulated in 2012 proposed that the following measures be taken to improve the quality of the foreign employment. However, no information was revealed that there was an active programme to implement those proposals or adequate intervention of the Ministry in charge of the subject towards that matter.

i. Increasing the trained emigration.

ii. Increasing trained job orders.

iii. Increasing the number of young skilled workers seeking foreign employments.

iv. Accurately balancing the ratio of skilled workers to migrant workers out of the total skilled workers.

- v. Registration of new skilled workers.
- vi. Initiating combined projects with other relevant Ministries regarding the training of migrant workers.
- vii. Obtaining the assistance of local as well as foreign stakeholders to uplift the skilled labour to suit the foreign market.
- viii. Conducting training courses and awareness programmes for registered employment agents.

3.1.3 Follow-up on the implementation of policies relating to the labour emigration and the related plans

In order to achieve the end result of national policies, a corporate plan or organizational results framework with a long-term vision should be formulated and a programme should be created to implement those policies through annual action plans that include performance indicators to evaluate the short-term performance. However, due to the exemption from the requirement of the Government Ministries to formulate corporate plans as per the State Finance Circular No. 01/2014, the Ministry in charge of the subject had not evaluated the performance by designing plans to evaluate the output and long term benefit of the aforesaid National Plans and Policies qualitatively. Likely, the Sri Lanka Bureau of Foreign Employment being the body that implements the recommendations contained in the above policies at the grassroots level should seek advice and intervention of the Ministry in the formulation and implementation of the Corporate Plans and Annual Action Plans of the Bureau, whereas such a system had not been implemented.

3.1.4 Conduct of market analysis and studies related to foreign employment promotion.

For the promotion of foreign employment opportunities, the relevant line ministry in charge of the subject should have designed and implemented a mechanism to conduct labour market analysis and market studies in foreign countries to understand the nature of labour demand and identify new sectors with labour needs. Nevertheless, the Ministry had not acted accordingly and although this purpose had been included in the action plan for 2018, it had not been able to bring to active position.

Further, research and study should be done on the overseas employment opportunities for Sri Lankans as per the provisions contained in the Sri Lanka Bureau of Foreign

Employment Act. Accordingly, although 17 researches had been done from 2013 to 2018 by the Research Division established by the Bureau, no research had been done on the behaviour of the overseas labour market and to identify the advantageous job opportunities for the country.

3.1.5 Non-reporting of correct statistical data of skilled and unskilled workers proceeding abroad for overseas employments.

According to the current data analyses of the Sri Lankan Bureau of Foreign Employment, it is not possible to obtain information on workers going abroad for employment after categorizing them as skilled and unskilled and this data base can only provide information after categorization as Housemaid, Middle, Professional, Semi-skilled, Skilled and Unskilled. The Bureau had informed that no NVQ certificates for unskilled employment category and certificates of NVQ 3 or below for semi-skilled employment category and certificates of NVQ 4 or above for skilled employment category are traditionally accepted in this classification. When further inquiries were made in this regard, it was revealed that although NVQ 3 Certificates had been awarded for women who had completed 21 days of training at the Bureau, they had not been taken under skilled Category and are categorized under a different category as housemaids. Workers who are to proceed abroad again and had obtained two-day training without NVQ Certificates had been taken under the same category. Accordingly, workers had been categorized according to their employment instead of checking their training certificates and categorizing them in to employment categories when workers going abroad for various employments.

Examples:

Bakers, Masons- general and Assistant Carpenters had been categorized under skilled employment category and Butlers and Records had been categorized as Semi skilled employment category without checking the certificates. Accordingly, the national level data related to this field could not be substantiated as accurate data.

3.1.6 Non Development of Vocational Training Field of the Country to meet the Domestic and Overseas Labour Demand.

- (a) According to the labour demand survey - 2017 conducted by the Department of Census and Statistics using a sample of 3500 private institutions, it was identified that there had been 500,000 vacancies related to various professions in the private sector and according to the labour force survey conducted in 2016 by this

Department, it could be identified that there were about 200,000 unemployed persons who could be employed. According to the information system of Sri Lanka Bureau of Foreign Employment, as many as 127541 unskilled workers including housemaids had opted for foreign employment in 2017. It was observed that a proper mechanism has not yet been put in place to accurately identify this situation and handle the workforce more effectively.

- (b)** Since the National Vocational Qualification Certificate (NVQ) is accepted as a criterion for vocational employment opportunities existing in the international labour market, it is required that all vocational training courses conducted in the vocational training institutions in the country should be courses with the National Vocational Qualification levels. However, according to the information of the Tertiary and Vocational Education Commission, only 833 vocational training courses conducted by the private sector had been accredited by December 2019. And 135 and 131 courses out of that number were respectively Information Technology and beauty culture courses.
- (c)** Due to the unavailability of a source of data to obtain the accurate data on the number of skilled workers annually leaving the Government and private vocational training institutions established in Sri Lanka to meet the domestic and overseas labour demand, it was not possible to examine whether a skilful labour force capable of meeting the above labour demand has been created in the country. However, according to the information revealed from the above survey reports, it was observed that the vocational training sector of Sri Lanka has not so far been able to produce a labour force capable of matching the skills demanded by the domestic and overseas labour market.
- (d)** According to the information obtained from the Tertiary and Vocational Education Commission, it was observed that the accredited courses had not yet been started in the country for employments such as welder (steel) restaurant employee, welder (aluminium) belonging to the 25 employments having the highest demand in the international market according to a study report issued by Sri Lankan Bureau of Foreign Employment based on the years 2015/2016 and.

The above situation has been a stumbling block for the supply of skilful workers required to meet the labour demand needed for projects and industries operating

under foreign and domestic investments and for making use of the available advantageous situation in the overseas labour market.

3.2 Directing Workers for Overseas Labour Market

3.2.1 Failure to focus due Attention on Matters Contained in the Market Analyses and Studies done in relation to the Promotion of Overseas Employment.

A study had been conducted by the Marketing Division of the Bureau on the overseas labour market based on the years 2015 and 2016 and it had been identified according to that study that there is greater demand for 25 categories of employment.(particulars are mentioned in annexure 1) However, it was revealed at the audit that due attention had not been paid towards the findings of that study, thereby avoiding the opportunity to turn the situation advantageous for the country.

- i. According to the above study it had been identified that there was a greater demand for 25 categories of employment.
- ii. A total of 113,970 employment orders had been received under the above 25 categories in 2017 and 2018. However, it was only possible to direct workers for 23683 vacancies out of the above number. Except for 9 instances in 2017/2018, workers sent abroad for employment represented only less than 35 percent in relation to the demand. Although there was a higher demand in 2015/2016 for restaurant employees- general and welders-aluminium it had not been able to send skilled workers to fulfil that demand. Accordingly, any employment had not been received in relation to those fields in 2017 and 2018.
- ii. Although 75 vacancies for employments related to above categories carrying a minimum salary of Rs.185,765 received from Cyprus, even a single worker had not been sent abroad. Likely, it was revealed at the sample audit that workers had been sent to countries, which had offered lower salary steps even though there had been vacancies in countries, which had offered the highest minimum salary for each employment and employment opportunities offering a minimum salary more than Rs. 100,000 out of the employment orders received in 2017 and 2018 related to the aforesaid 25 employment categories. (Particulars are mentioned in annexure 02)

Employment	Total number of Departures under the selected 25 categories of Foreign Employment	Number of Job Opportunities received from the Country offering highest salaries	Number of Workers sent	Salary
-----	-----	-----	-----	-----
				Rs.
Driver (Truck)	219	25	8	152,500
Baker	39	192	8	177,925
Cook (non-domestic)	117	50	2	215,078
Technical (Air Conditioners)	104	136	26	121,900
Care Giver (Domestic)	588	400	34	176,721
Welder (general)	649	75	0	185,765
Electrician (general)	747	322	88	100,235

3.2.2. Lack of Proper Procedure to send the Skilled Workers to Favourable Job Opportunities received to the Country

The details are given below.

(a) Workers could not be sent for the job opportunities to be received to the country from the following job agreements subject to the sample tests and which were signed by the Bureau with the intervention of the Ministry.

- i. According to the agreement signed with the Karma Services LLC in United States of America on 03 May 2016 in respect of the job opportunities for Care Givers, it was possible to send workers without any limit. Nevertheless, only two skilled workers had been sent for employment.
- ii. Even though job opportunities had been received for 50 skilled workers in accordance with the agreement signed with the Government of Israel on 25 May 2016, only 26 persons had been sent.

- iii. No information was revealed that workers have been sent for employment as per the job agreement signed with the Korea Electric Power Corporation on 01 April 2014.

3.2.3 Employment Opportunities in the Government of Japan

According to the information made available by the Sri Lanka Bureau of Foreign Employment and the Sri Lanka Foreign Employment Agency (Pvt) Ltd, it was observed that the job market in Japan was open to the workers of Sri Lanka under several programmes during the years 2018 and 2019. Under the Special Skilled Workers Recruitment Programme (SSWRP) subject to the sample test thereof, the Bureau had called for applications for professional job opportunities received under 14 areas. Accordingly, 12,304 persons had applied there for as at 31 December 2019, the date of audit. Out of those, 5,986 applicants had been rejected in the first stage due to the lack of professional qualifications. (Details appear in annexure 03)

3.2.4 Job Bank

A job bank in respect of the foreign job seekers is operated by the Sales Division of the Sri Lanka Bureau of Foreign Employment and the position of registration and employment pertaining to that bank as at 30 November 2019 was as follows.

Year	Number of applicants registered at the Job Bank	Number of checks made on Applications by Job Agencies	Number and percentage of job seekers proceeded abroad through Job Bank	
-----	-----	-----	-----	-----
2016	4629	36041	432	9%
2017	13034	84421	936	7%
2018	11839	151,596	1465	12%
Up to November 2019	13403	158,315	1668	12%

Out of the persons registered at the job bank during the year 2018, only 12 per cent had proceeded abroad. It was observed that the main reason there for, is that most of the persons

registered at the job bank had failed to acquire the qualifications required for the foreign job market.

3.2.5 Sending Workers for Foreign Job Orders

Total job opportunities received to the country under 07 service categories during the period of 04 preceding years stood at 1,376,465, out of which 473,856 for Housemaids and 280,261 under the category of unskilled services. Even though 542,893 job opportunities had been received for skilled workers, only 79,785 had proceeded abroad there for. It represented 15 per cent of the total job opportunities received. As compared to that, workers had been sent for 32 per cent of the job opportunities received for housemaids and unskilled workers. Details appear below.

Job opportunities	2015		2016		2017		2018		Total		
	Vacancies	Departures	Vacancies	Departures	Vacancies	Departures	Vacancies	Departures	Vacancies	Departures	Percentage
Clerical	9,902	1,543	6,642	1,552	6,397	1,114	4,538	467	27,479	4,676	17
Housemaid	104,006	46,074	96,461	42,538	125,291	43,060	148,098	36,464	473,856	168,136	35
Middle	7,352	1,408	4,554	1,701	4,470	735	6,153	650	22,529	4,494	20
Professional	4,810	588	2,314	294	2,048	343	4,542	276	13,714	1,501	11
Semi-skilled	4,414	830	3,074	572	3,050	348	5,195	233	15,733	1,983	13
Skilled	149,968	26,999	123,535	21,573	127,888	19,023	141,502	12,190	542,893	79,785	15
Unskilled	89,312	28,775	61,784	19,279	59,697	15,343	69,468	10,094	280,261	73,491	26

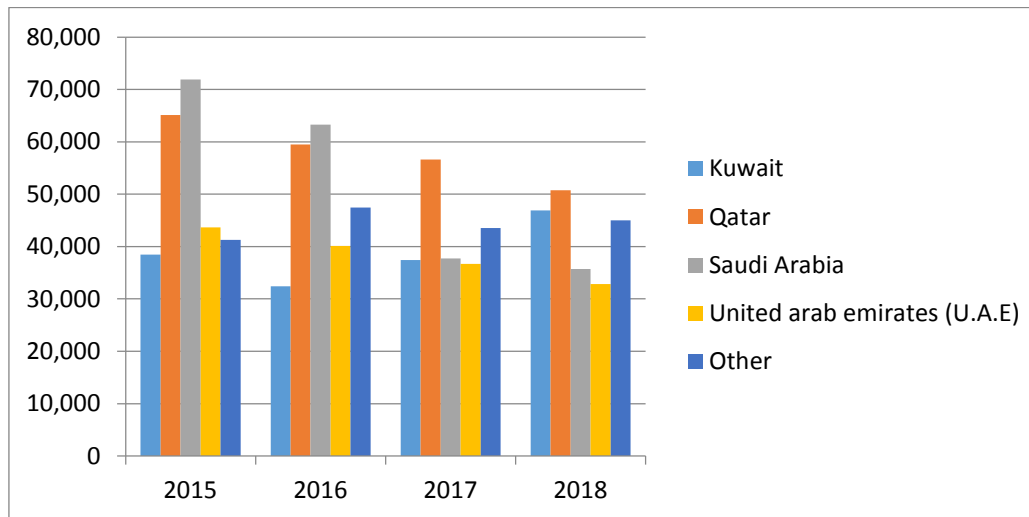
Source :-Sri Lanka Bureau of Foreign Employment

Even though this situation had badly affected the foreign employment sector, no action had been taken to settle the prevailing issues by strictly enforcing laws, since the foreign employment is the major source of foreign exchange earnings for the country and the going concern of the Sri Lanka Bureau of Foreign Employment depends on it. However, lack of a proper long term plan to overcome this situation had been a serious problem.

3.2.6 Foreign Employment being centred in the Middle East Region at the present time

Total departures for foreign employment during the year 2015 had been 260,443 and it had decreased to 211,229 by the year 2018. Decrease in the departures to Kuwait, Qatar, and Saudi Arabia by 37 per cent had been the main reason for the said decrease. When

considering the migration to countries other than the middle east countries being at a low percentage representing 21 per cent of the total departures for foreign employment and the departures for employment in middle east countries mostly by unskilled female workers, it was observed that strengthening the national economy with foreign exchange earnings should be emphasized. Details appear below.



Source: Sri Lanka Bureau of Foreign Employment

3.3 Issues arisen from the Employment of Workers without a proper Methodology and Training

As the authorized institution for properly monitoring the recruitment agencies, the Sri Lanka Bureau of Foreign Employment should play a vital role in the recruitment for foreign employment. Therefore, it is very important and easy method to follow the countries which are successfully carrying out this process in sending workers for employment in other countries. For example, according to a report published by the International Labour Organization in the year 2013, it has been stated that no irregularity whatsoever is committed by any of the employment agencies under the procedure adopted regarding the employment agencies by the Philippines, as a leading country in the world in sending workers for foreign employment. Further, a methodology giving a guarantee on the job and its security to the worker before leaving the country had been formulated. (Details appear in Annexure 04)

According to the paragraphs above, it was observed that the current position of the foreign employment sector was not satisfactory. Also, when considering the matters revealed by various media in this connection, it was observed that the institutions established for the

promotion of this sector could have performed their functions better. Certain examples are given below.

3.3.1 Complaints received to the Sri Lanka Bureau of Foreign Employment

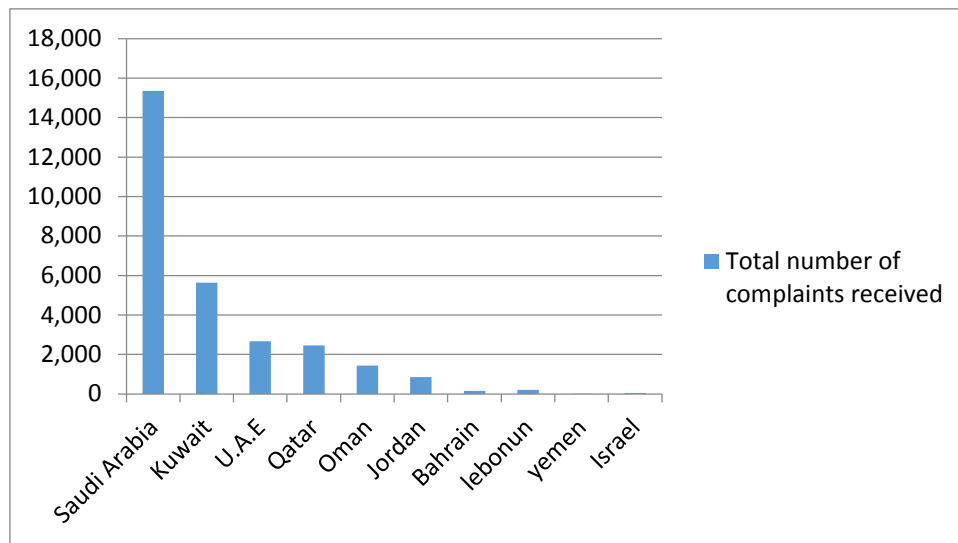
The position on complaints received to the Bureau from migrant workers is as follows.

(a) The objective and goal of various institutions related to this field and the target of national policies relating thereto is to provide more safe professional employment opportunities for Sri Lankan migrants. However, according to complaints received frequently to the Bureau from migrants who had to face various problems and difficulties after departure for foreign employments and their relatives, it is problematic whether the said target can be reached. A number of 30,247 complaints which were subjected to audit test check, had been received to the Bureau during the period from the year 2015 to the year 2018. Out of that, 27,539 complaints were received from workers migrated through job agencies. The said complaints were classified according to the manpower level and the manner of utilization of labour, as follows.

Manpower Level	Number of Departures	Total Number of Complaints	
-----	-----	-----	
Professional	30,466	73	
Skilled	292,689	4,576	
Semi- skilled	14,748	99	
Middle level	27,940	219	
Clerical and related	38,523	340	
Unskilled	259,275	4,940	
Housemaid	261,792	20,000	Out
	-----	-----	of
	925,433	30,247	the
	=====	=====	total

number of complaints so received, 20,000 representing 66 per cent were from workers migrated for domestic employment. Out of that almost 19,999 complaints were received from women migrated for domestic employment while there were complaints relating to 10 deaths. Those complaints were received from 43 countries and out of that, 95 per cent represented Middle East countries. In relation to that, the total number of complaints received during 04 preceding years from workers migrated to Japan and Korea for foreign employment after a proper training sponsored by the Government, were nearly 216.

(b) out of 15 countries identified as Middle East countries, more complaints were received from 10 countries and a summary thereon, is given below.



Source : Sri Lanka Bureau Of Foreign Employment

According to the said information, the number of complaints received from Saudi Arabia stood at a value as high as 15,356 while the total number of complaints as well received from countries such as Kuwait, United Arab Emirates, Qatar and Oman had been a considerable high value. The recruitment for domestic employment of those countries is made by private employment agencies and it was observed that lack of knowledge on the language, culture and legal environment of the country migrated and skills on their jobs and directing workers by employment agencies without considering their educational qualifications would be the reason for such a high number of complaints.

It was observed that there is a strong need to direct workers for foreign employment, with vocational skills after a proper training as described above. However, the Bureau or the Line Ministry had not paid adequate attention in that connection and according to the present situation, the training given to housemaids migrating to Middle East countries had been restricted to 21 days. Moreover, a 10 day training course had been prescribed to housekeepers and care givers with previous experience in foreign employment but it cannot be proved by documents.

As such, it is possible to migrate to Middle East Countries for employment, deviating from the decision taken previously that the NVQ Level 3 Certificate is mandatory to a person who migrates to the said country for domestic employment. However, the said training courses

and training standards had been further relaxed by following circulars as per the request of employment agencies.

- | | | |
|--|---|--|
| <p>i. Internal Instruction Papers No.06/2018 of 17 July 2018 of the General Manager (Approval)</p> | } | This course had been restricted to 7 days and 3 days for NVQ evaluation had been exempted. |
| <p>ii. Circular No.22/2018 of 23 August 2018 of the General Manager</p> | } | Changing the course duration as 2 days. |

It was revealed in audit test checks that various malfunctions were carried out in implementing the said methodology and women without pre-migration experience were able to leave for overseas employment after two days training as per the said methodology.

3.3.2 High Cost for functioning and maintenance of “Suraksha” Safe Houses of Foreign Missions

The women, who fled to foreign missions with the expectation of their security due to various problems and harassments faced at their place of employment, are retained in retention houses until their problems are resolved and 2,394 and 2,386 had reported to “Suraksha” safe houses of foreign missions of 11 countries in the years 2017 and 2018 respectively. Out of them, more than 90 per cent were female workers migrated to Middle East countries for domestic employment. Sums of Rs.79.7 million and Rs.80.5 million had been spent by the Government in the years 2017 and 2018 respectively for the maintenance of the said “Suraksha” safe houses.

3.3.3 Information relating to the Field, revealed through Media

Complaint handling units had been established in labour welfare divisions of foreign missions as well as in the Sri Lanka Bureau of Foreign Employment with a view to intervening directly in day-to-day problems faced by migrant workers. However, those problems and issues are being socialized through various media due to inadequate role of those units. Several information revealed thereon at the audit test check carried out during the period from 01 January 2018 to 19 October 2019, is given below.

- A private employment agency had retained female workers who had migrated for domestic employment in an agency in Dubai for 39 days, being subjected to various forms of harassment and had repatriated to Sri Lanka. As stated by them, another such 16 female workers had been retained in the said agency. (Mawbima Newspaper of 21-12-2018)
- Reporting information on 15 migrants from whom services had been obtained while being retained by force, despite exceeding the service period in Saudi. (Ada Newspaper of 16-08-2019)
- Sixty female migrant workers have been reported from Kuwait, faced with various issues such as assault, sending to different houses for employment and non-receipt of salaries and food. (Divaina Newspaper of 23-08-2019 and Lankadeepa Newspaper of 26-08-2019)
- A woman who had worked as a housemaid in Saudi Arabia had been reported as not paid salaries as promised, worked in 04 houses, wasted time in 22 agencies and subjected to brutal assault by the Head of the agency and as a result, presently suffering from physical discomfort as well. (Ada Newspaper of 12 April 2018)
- A woman who had migrated in the year 2005 had reportedly said over the telephone that she faced harassment in the work place at the beginning and it was reported that there was no news of her even by the year 2018. (Ada Newspaper of 24.04.2018)
- A woman who was working in Kuwait had jumped from the upper floor of the house in which she was working due to harassment and had become disabled as a result. (Dinamina Newspaper of 03.01.2018)
- A woman had run away from her work place overseas, due to problems in that house and arrived at the Embassy. (Lakbima Newspaper of 03.04.2018)

It had been revealed through media that in addition to the issues faced by workers who proceed to Middle East countries for domestic employment as mentioned above, they have to face the following social issues as well as financial misappropriations. A few examples are given below.

- Father molesting the 08 year old daughter while mother was overseas (Dinamina Newspaper of 24.03.2018)
- Father sexually abusing the 14 year old daughter while mother was overseas (Mawbima Newspaper of 11.12.2018)

- Children of migrant woman worker holding National Identity Card No.878261437 V, being subject to sexual abuse
- Women who had migrated as house maids being victims of money fraudsters (Sirikatha Newspaper of 21-01-2019)
- Committing of suicide by daughter due to migration of mother (Mawbima Newspaper of 04-04-2018)
- Three children becoming helpless due to migration of mother (Mawbima Newspaper of 20-04-2018)
- Reported the non-receipt of salaries as promised (Lankadeepa Newspaper of 17-04-2018)
- Reported the suicide of 31 Sri Lankans who had migrated for employment in the year 2018 (Silumina Newspaper of 09-12-2018)
- No information of 04 Sri Lankans who had migrated to Kuwait (Dinamina Newspaper of 28-11-2018)

As described in the above paragraphs, in consideration of complaints of women workers migrated to Middle East for employment, reporting to “Suraksha” safe houses, maintenance expenditure on “Suraksha” safe houses, physical and mental abuse they are subjected as well as the social issues faced by them and their families, the attention of responsible officers should be drawn towards whether women workers should be further directed towards employment in this field without a proper training and methodology.

It was observed that the weak level in coordination among the institutions related to the field is an obstruction for identifying the requirement for vocational training and directing towards relevant employment for employment opportunities in the local and foreign vocational training field.

Recommendations

- It is more effectively implemented by including matters consisting in each policy for implementation of recommendations in national policies and plans relating to migration of labour and an organizational results framework or a Corporate Plan should be prepared relating to the Ministry of Foreign Employment and the Sri Lanka Bureau of Foreign Employment for implementation of recommendations included in the national policy. Moreover, the Annual Action Plans of the Ministry of Foreign Employment and the Sri Lanka Bureau of Foreign Employment should be prepared in a manner to implement recommendations included in the aforesaid national policy.
- A formal procedure should be created within the country for directing workers for employment opportunities with professional qualifications, high salaries and facilities. A centralized procedure should be implemented for briefing the vocational training institutions under the purview of the Ministry of Vocational Training on vacancies available in other countries for employment at professional level. This briefing should be a national programme which goes beyond the briefing carried out by the Sri Lanka Bureau of Foreign Employment at selected training centres. A methodology should be prepared there for to communicate relevant information through a computerized information system linked with each ministry and training institution.
- The Research Division of the Bureau should be further strengthened and a methodology should be prepared to implement the recommendations included in the research reports and to take follow up action as well.
- Attention should be paid on directing Sri Lankan workers towards semi-skilled and skilled labour market on the progress in different fields, in minimizing unskilled workers leaving for foreign employment. Fields such as nursing, medical, information technology, finance, accounting, management and engineering and industries such as tourism, sea and air travel, advanced technology products, constructions and health services can be considered.
- Necessary steps should be taken to improve technical and vocational training processes in compliance with international standards to meet the demands of the international market surpassing Philippines, Bangladesh, India, Pakistan, China and other Asian countries.

- (i) Reasons for failure in directing workers for more beneficial employment opportunities offered to the country should be examined while necessary steps should be taken to correct that situation.
- (ii) The Ministry of Foreign Employment the Ministry of Foreign Affairs and the Sri Lanka Bureau of Foreign Employment should work in collaboration for building diplomatic relations to get employment opportunities with high salaries and facilities, beneficial to the country.
- In directing women for domestic service, a special training should be provided on the fields of language, culture and working environment of the country of migration. Specially, a proper training should be provided to these women workers on mastering the language of the relevant country as provided to the workers presently migrating to Japan and Korea. Moreover, the women workers who leave for domestic service should be previously made aware of the employment she is expected to be directed to and a basic training including how to avoid falling victim to labour brokers and cheats should be provided there for. E.g.:- A sound knowledge on the usage of relevant equipment and other important matters should be provided to a woman worker who is leaving for employment as a cleaner.
 - The demand for foreign employment could limit due to reasons such as variances which could occur in foreign labour markets for labour demand due to economic depressions, political unrest and conflicts, automation of policy changes and technical modifications for limiting migrant labour and the competition between countries exporting labour. As such, a methodology necessary for retaining young labour should be created in the country for strengthening the local economy.
 - Attention should be paid to social issues arising due to women migrating for foreign employment, social cost, exploitation of labour, failure in making payments or paying less and violation of human rights such as physical abuse and action should be taken to discourage or discontinue sending women for domestic employment without proper training and a proper methodology.
 - Action should be taken to provide vocational training relevant to each field for Sri Lankan youth migrating for labour jobs and creating a labour force to meet the demand of local skilled labour and to limit migration of labour, considering the impact on Sri Lankan

society and culture as well as probable long term issues from foreigners brought down from countries such as India, Maldives and China due to labour shortage in several industries in Sri Lanka, specially in the field of construction.

- In the examination of complaints received to the Bureau, in addition to examining matters relating to each complaint, a long term procedure should be formulated to study as a whole in minimizing complaints.

Sgd./W.P.C. Wickramaratne
Auditor General

W.P.C.Wickramaratne

Auditor General

17 December 2020

Twenty- five Categories of Employment identified as having a high demand in the Foreign Employment Market

- | | |
|---|---------------------------------|
| 01 Driver- Domestic | 14 Welder- Normal |
| 02 Machine Operator- Garment Industries | 15 Painter- Normal |
| 03 Cleaners- Male- Non- domestic | 16 Care Giver- Female- Domestic |
| 04 Driver- Normal | 17 Technician- Normal |
| 05 Cleaners- Female- Non- domestic | 18 Mechanic- Normal |
| 06 Electrician- Normal | 19 Welder- Steel |
| 07 Driver- Heavy Vehicles | 20 Technician- Air Conditioning |
| 08 Mason- Normal | 21 Steward |
| 09 Waiter- Normal | 22 Chef- Non- domestic |
| 10 Carpenter | 23 Welder- Aluminium |
| 11 Plumber | 24 Baker |
| 12 Driver- Light Vehicles | 25 Driver- Trucks |
| 13 Beautician | |

Receipts of Job Orders and Migrations Employment		Driver-Trucks	Baker	Chef-Non-domestic	Technician (A-C)	Care Giver-Female-Domestic	Welder-Normal	Electrician-Normal
Saudi Arabia	Receipts of Employment	330	38	202	136		193	322
	Migrations	160	9	62	26		83	88
	Minimum Salary Rs.	60,995	85,393	60,995	121,900		69,128	100,235
Baharain	Receipts of Employment					60		
	Migrations					0		
	Minimum Salary Rs.					54,606		
United Arab Emirates	Receipts of Employment	26	34	49	150		91	245
	Migrations	2	1	13	11		9	10
	Minimum Salary Rs.	62,277	66,429	72,657	70,581		53,974	70,581
Romania	Receipts of Employment	25						
	Migrations	8						
	Minimum Salary Rs.	152,500						
Cyprus	Receipts of Employment		192	50			75	
	Migrations		8	2			0	
	Minimum Salary Rs.		177,925	215,078			185,765	
Qatar	Receipts of Employment	75	117	121	274		915	1306
	Migrations	49	14	23	64		547	639
	Minimum Salary Rs.	96,321	67,006	58,630	58,630		50,255	69,100
Oman	Receipts of Employment					365		77
	Migrations					0		0
	Minimum Salary Rs.					55,487		79,225
Mladives	Receipts of Employment			44	25		62	137
	Migrations			17	3		10	10
	Minimum Salary Rs.			45,750	91,000		76,250	76,250
Kuwait	Receipts of Employment		79			160		
	Migrations		7			0		
	Minimum Salary Rs.		55,281			55,281		
Israel	Receipts of Employment					400		
	Migrations					34		
	Minimum Salary Rs.					176,721		
Singapore	Receipts of Employment					145		
	Migrations					7		
	Minimum Salary Rs.					66,029		

Employment Opportunities received from the Japanese Government under the

SSWRP Programme

Field of Employment	Professional Qualifications applied for	Number of Applications received to the Bureau relating to each field of Employment	Number of Applications rejected due to lack of required professional qualifications or experience
Shipbuilding and Ship Machinery	Vocational/ Technical Training obtained from a recognized Institution for the field that had been applied for or, Working Experience of not less than two years relating to the Sector of Employment	12304	5986
Aviation Industry			
Electronics and Information Technology			
Food and Beverages Production			
Fisheries and Aquaculture			
Agriculture			
Field of Construction			
Industrial Machinery			
Assembling Machine Parts			
Care Giving			
Building Cleaning			
Motor Vehicles and Maintenance Services			
Accommodation Services			
Food Service Industry			

**Recruitment Practices of
Employment Agencies**

Recruiting Migrant Workers.

A review aimed at improving recruitment

Regulations and drafting recruitment guidelines

**ILO Country Office for
Sri Lanka and the Maldives
March 2013**

5. Recruitment practices in some other labour sending countries

When considering the recruitment practices of other labour sending countries, the practices and procedures adopted in the Philippines can be cited as a module of best practice, since Philippines has been a world leader in deployment of man power in foreign countries on sea based and land based jobs which averages a million per year. In addition, the country earns a staggering US\$ 10 billion per year from remittances The Philippines Overseas Employment Administration (POEA) was established in 1981 by virtue of an Executive Order to function under the Ministry of Labour. The stringent laws governing the recruitment agencies and the recruitment process do not leave room for mal-practices by recruiters. At present there are 1300 licensed agencies engaged in the process of overseas employment in the Philippines. The issuance of licence is subjected to a series of conditions such as proof of financial capacity with savings account certificates showing a maintaining balance of not less than P.500,000 (the applicant should submit an authority to examine such bank deposit), verified income tax returns for past two years, clearance certificates from National Bureau of Investigation and Anti-illegal recruitment Branch of the POEA. Such clearance has to be provided for the licensee as well as for the employees to be appointed to the recruitment office. It is important that the prospective licensee has to submit an undertaking by outlining various obligations under its performance within the scope of a license holder. Such obligations can be identified as;(1) Shall select only medically and technical qualified recruits.(2) Shall assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license.(3) Shall assume joint and solitary liability with the employer for all claims and liabilities which may arise in connection with the

implementation of the contract including but not limited to payment of wages, deaths and disability compensation and repatriation.³³(4) Shall disclose the full terms and conditions of employment to the applicant (worker). (5) Shall deploy at least 100 workers within one year's time framework. (6) Shall repatriate the deployed workers and his/ her personal belongings when the need arises. The fees pertaining to application for a license is also setup at a higher rate compared to the Sri Lankan situation; i.e. non refundable application filing fee - P.10000, License fee P.50000, A deposit of P.100,000, Surety bond of P.100,000. Determining a time framework of 15 working days for the issuing or denying of license is another feature in the Philippines system. However, the issuance of a full fledged license is done only after one year of operation of the agency to the satisfaction of the POEA, during which period, the agency is equipped with a 'provisional license'. The renewal of license after lapse of four years is also bound with several conditions for which, clearance of National Bureau of Investigation (NBI) and Anti-illegal Recruitment Branch of the POEA is essential. The Philippines recruitment mechanism is also enriched with some concern on the sub-agent factor. It is required that such representatives of the agents shall be subject to prior approval or authority of the POEA and approval is issued subject to the clearance by the NBI and Anti illegal recruitment Branch of the POEA. A sworn statement assuming full responsibility of the acts of 'agents/representatives in connection with recruitment and deployment of workers is also to be filed by a licensee who obtains services of such third party. With regard to publishing of an advertisement, the recruiting agencies are exempted from seeking approval for such advertisement from the POEA provided the advertisement is for actual vacancies but not for prospective market opportunities. Advertisements are also allowed without approval of the POEA for pooling up of manpower but on such an occasion, the advertisement must carry in bold letters that it is for manpower polling purpose only and that no fee will be collected from the applicant. As far as the recruitment fees are concerned, the Philippines system allows the recruiter to charge an equivalent amount of one month salary of the worker at the foreign job. However, seafarers and entertainers are exempted from charging a placement fee as the employer is bound to bear whatever the associated cost of hiring such category of workers.