



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



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**DEPARTMENT ORDER NO. 248-A**  
Series of 2025

**SUPPLEMENTAL GUIDELINES CLARIFYING AND AMENDING PROVISIONS OF  
DOLE DEPARTMENT ORDER NO. 248, SERIES OF 2025**

In the interest of the service and further to DOLE Department Order No. 248, Series of 2025, providing the new rules and regulations on the employment of foreign nationals in the Philippines, the following amendment/supplemental guidelines are hereby issued to provide further information, clarification and guidance on the issuance of Alien Employment Permit (AEP):

**REQUIREMENTS AND PROCEDURES IN APPLYING FOR AEP**

**Section 1. Rule II, Section 1 (a) is hereby amended to read as follows:**

***"Section 1. Precondition to an application; labor market test.***

X X X

*a) The publication shall be made in a newspaper of general circulation.*

*In addition to publication in a newspaper of general circulation, applicants are encouraged to post the job vacancy in the PhilJobNet and with the Public Employment Service Office (PESO)/Job Placement Office (JPO). The posting in the PhilJobNet and with the PESO/JPO shall not be a precondition to the filing of the AEP application."*

**Section 2. Rule II, Section 5 is hereby amended and added to read as follows:**

***"Section 5. Specific additional requirements for certain applications. X X***

X

*g) Understudy Training Program or Skills Development Program Plan for the following establishments:*

- i. The establishment is registered under the Foreign Investment Act (FIA), employing foreign national/s, and enjoys fiscal incentives;*
- ii. The establishment is engaged in the operation of public utilities or critical infrastructure under the Public Service Act, where foreign equity participation is allowed; or*
- iii. The establishment is identified as a strategic investment, including those in key sectors outlined in the Strategic Investment Priority Plan (SIPP) or equivalent national development framework."*

## APPLICATIONS FOR RENEWAL AND ADDITIONAL POSITION

### Section 3. Rule III, Section 1 is hereby amended to read as follows:

***“Section 1. Requirements.*** A duly-notarized application for AEP renewal or for additional position in the form prescribed by DOLE may be filed following the same requirements and procedures as a new application, subject to updating of all material information and required clearances, licenses, permits or other documents from competent authorities.

*The Department shall allow the acceptance of renewal applications with an affidavit of undertaking, committing to comply with the requirements of publication prior to the release of the AEP card, and the Understudy Training Program (UTP) or Skills Development Program (SDP) within sixty (60) days from the date of submission, if applicable.*

*For AEPs issued before February 10, 2025, or prior to the issuance of DO 248-25, renewal applications shall only be required to submit a training plan for the UTP, similar to a new application, in lieu of full compliance with either the UTP or SDP requirements.*

*Failure to submit/comply with the documents shall be a ground for revocation of the AEP. “*

### Section 4. Rule III, Section 5 is hereby amended to read as follows:

***“Section 5. Action on the application; validity.*** Within fifteen (15) working days from payment of the required fee, the DOLE Regional Office, through the Regional Director, shall act on the application by approving or denying the same.

X X X”

**Section 5. A new rule is hereby inserted to serve as a guide in evaluating and approving the Understudy Training Program and Skills Development Program submitted by employers of covered establishments. This rule shall be read as follows:**

### **RULE IX EVALUATION AND SUBMISSION OF UNDERSTUDY TRAINING PROGRAM AND SKILLS DEVELOPMENT PROGRAM**

Employers of covered establishments shall submit the UTP or SDP plan during the AEP application or within sixty (60) days from the commencement of employment of the foreign national. Employers may use their own format for the plan, provided it contains the information specified under Rule VI, Section 3 of DO 248-25.

Within five (5) working days, the DOLE Regional Office shall evaluate the submitted UTP/SDP and check whether the proposed training plan clearly



outlines the required information such as the learning objectives, training activities, timeline, and expected competencies, and shall ensure that the training plan matches the foreign national's scope of work.

**Section 1. Technical Working Group (TWG) evaluation of UTP or SDP.** The DOLE, through the BLE, shall create a Technical Working Group (TWG), which is composed of the following:

- 1) Representative/s from the DOLE Regional Office - Technical Support Services Division (TSSD);
- 2) Representative from the Bureau of Local Employment (BLE) or designated focal;
- 3) Representative from the Technical Education and Skills Development Authority (TESDA) Central or Regional Office;
- 4) Representative from the Professional Regulation Commission (PRC) or the concerned Board of Professionals; and
- 5) Other representative/s based on the industry concerned, whenever applicable.

The TWG shall be responsible for formulating comprehensive evaluation criteria and methodologies to assess the overall effectiveness and impact of the UTP/SDP. This evaluation shall specifically determine the extent to which the programs have facilitated the successful transfer of knowledge and technology from the foreign national to Filipino understudies or trainees. Furthermore, the TWG shall analyze outcomes and recommend strategies for improvement to ensure that the intended objectives of capacity building, skills enhancement, and sustainable technological advancement are fully realized.

The TWG shall convene a regular annual meeting to ensure effective alignment and implementation of UTP/SDP policies.

**Section 2. Evaluation Criteria.** The TWG shall formulate an Evaluation Criteria Framework for the DOLE to assess the effectiveness of the submitted UTP or SDP by companies employing foreign nationals.

Otherwise, the DOLE Regional Offices have the option to develop their own criteria based on consultations with the regional TWG or concerned stakeholders.

**Section 3. Monitoring and Compliance.** Employers shall submit progress reports, based on the submitted UTP/SDP plan on a semi-annual basis (for AEPs with 1 year validity) and annual basis (for AEPs with 2-3 years validity) detailing implementation report, attendance, and competencies gained by the Filipino employee/s. The report shall be duly signed by the employer, the foreign national, and the Filipino employee/s.

**Section 4. Exemption from UTP/SDP of Covered Establishments.** The following foreign nationals are exempted from the mandatory submission and implementation of an UTP and SDP:

1. Foreign nationals excluded or exempted from AEP;

2. Equity holders/shareholders or foreign nationals who are owners or investors with equity participation as reflected and reported with the Securities and Exchange Commission (SEC); and
3. Foreign nationals occupying positions that have been determined by the TWG to be qualified for exemption, in accordance with established guidelines and criteria.

**Section 6. A new rule is hereby inserted to serve as a guide in the procedure of the conduct of the Economic Needs Test. This rule shall be read as follows:**

## **RULE X PROCEDURES IN THE CONDUCT OF THE ECONOMIC NEEDS TEST**

**Section 1. Applicability of the Economic Needs Test.** The DOLE Regional Offices shall, as appropriate, evaluate and consider the economic implications of the employment of foreign nationals through the Economic Needs Test (ENT).

**Section 2. Technical Working Group (TWG) conduct of ENT.** The DOLE, through the BLE, shall create the ENT TWG. The TWG shall be composed of the following members:

1. Representative/s from the Department of Labor and Employment (DOLE), preferably AEP or LMI focal persons;
2. Representative/s from the Economic Team (i.e., the Department of Economy, Planning, and Development (DEPDEV), the Department of Trade and Industry (DTI), the Department of Finance (DOF), the Department of Budget and Management (DBM), or the Bangko Sentral ng Pilipinas (BSP); and
3. Industry representative/s or sectoral expert/s.

The DOLE shall facilitate consultations with concerned government agencies and key stakeholders to provide strategic policy guidance, and to consolidate and disseminate relevant labor market information (LMI). This includes data on hard-to-fill occupations to support the ENT process, sourced from national LMI publications, the Philippine Skills Framework (PSF), national statistics from the Philippine Statistics Authority (PSA), administrative data from the PESO Employment Information System (PEIS) and PhilJobNet, Technical Education and Skills Development Authority (TESDA) / Commission on Higher Education (CHED) graduate listings, and Professional Regulation Commission (PRC) licensure records.

The TWG shall convene a regular annual meeting or, as deemed necessary, a semi-annual meeting, to assess the availability of local workers for the position being applied for.

During the evaluation of the AEP application, the DOLE Regional Office may initiate the ENT determination, guided by the information provided by the TWG. The Regional Office may also validate the data through available regional LMI sources.

The BLE shall issue a summary of ENT reports based on the consolidated reports. The summary shall be made publicly available to document findings, support decision-making, and aid policy formulation.

**Section 7. The Final Provisions is hereby renumbered to Rule XI in view of the amended and inserted rules.**

**Section 8. Effectivity.** This Department Order partially amends and supplements Department Order No. 248, Series of 2025 and shall take effect after fifteen (15) days from publication in a newspaper of general circulation.

  
**BIENVENIDO E. LAGUESMA**  
Secretary

5 June 2025

