

GAMING EMPLOYMENT LICENSE PRIMER

1. What is the gaming employment license?

- a. A gaming employment license is a written document issued by PAGCOR granting a person the privilege to be employed as a gaming employee within the Philippine jurisdiction.
- b. Gaming employment license is issued for the six (6) different classes of employment as follows:
 1. Local Managerial - Class A
 2. Local Supervisory - Class B
 3. Local Rank and File - Class C
 4. Support Personnel - Class D
 5. Foreign Managerial - Class E
 6. Foreign Non-Managerial - Class F

Managerial employees are those who are vested with the powers or prerogatives to lay down and execute management policies and/or to hire, transfer, suspend, lay-off, recall, discharge, assign or discipline employees.

Supervisory employees are those who, in the interest of the employer, effectively recommend managerial actions if the exercise of such authority is not merely routinary or clerical in nature but requires the use of independent judgment.

Rank and file employees are all other employees not falling within any of the above definitions.

Support personnel are those contractual, casual, outsourced, probationary or regular employees of the gaming establishment who provide services or perform functions in supporting capacity for the delivery of total services of the gaming establishment on a regular basis. These include personnel from:

- a. security - security guards, lady guards, canine handlers, and other positions with similar tasks and level of responsibilities;
- b. sanitation - janitors, sanitation aides, and other positions with the similar tasks and level of responsibilities;
- c. maintenance and logistics – electricians, carpenters, painters, plumbers, mason, welder, locksmith, aircon technician, audio-visual technician, light technician, lightsman, sound technician, repairman, generator set operator/technician, elevator operator, and other positions with similar tasks and level of responsibility;
- d. transport services - drivers, valet drivers, parking aide, dispatchers and other positions with similar tasks and level of responsibilities;

- e. food/beverages services - waiters, waitresses, food attendants, food servers, bar attendant, bar tender, bar helper, cocktail attendant, cashiers, busboys, and other positions with similar tasks and level of responsibilities; and
- f. Souvenir shops and other casino services – doorman, cigarette vendors chocolate vendors, souvenir shop attendant, and other positions with similar tasks and level of responsibilities.

Agency supervisors such as F&B supervisors, guard supervisors, bar supervisors, janitor supervisors, souvenir shop supervisors, maintenance supervisors and other positions with similar tasks and level of responsibilities shall also be classified as support personnel.

Please see **Annex A** for position classification.

Foreign employees are non-resident aliens who possess a valid employment permit issued by the Department of Labor and Employment (DOLE).

Holders of higher classes of gaming employment license may be employed or perform the duties of those in lower classes.

2. Why is there a need for a gaming license?

- a. The gaming industry is highly regulated by the government. There is a need to screen the persons who work in any gaming establishment for the requisite capacity, competence, and integrity to ensure that they are able to uphold global gaming standards.

3. Who must obtain a license?

- a. Any person, at least 21 years of age, currently working or planning to apply for employment in any capacity at any gaming establishment in the operation or supervision of a gaming activity MUST secure a gaming employment license. This is a continuing requirement for employment in any gaming establishment and should form part of the employee handbook. These people may fall into any one of the following categories:
 - i. Applicants without any gaming experience desiring to apply in any gaming establishment in the future;
 - ii. Current PAGCOR employees;
 - iii. Those presently employed at existing gaming establishment licensees;
 - iv. Foreign nationals;

- v. Resigned/retired PAGCOR Employees (provided they resigned with a clean record);
- vi. Resigned/retired Employees of licensees (provided they resigned with a clean record).

4. Will gaming establishments employ me even though I don't have a license?

- a. Gaming establishments are mandated to employ only persons licensed by PAGCOR. In fact, they could be penalized for employing unlicensed personnel.

5. How does a gaming employment license application begin?

- a. First, applicants must secure and fill out the Gaming License Application form (HRDD-GEAF-09-04) which may be downloaded from the PAGCOR website (www.pagcor.ph) or thru PAGCOR's Human Resource and Development Department, 4th Floor, PAGCOR House, 1330 Roxas Blvd., Ermita, Manila. Applicants should fill up all the questions truthfully and completely. Any omissions or fraudulent entries may result in the denial of the application.
- b. Second, applicants should attach the following documents to the Gaming License Application form:
 - i. For **Non-Managerial Position (Class B, C and D)**:
 1. Birth Certificate (NSO Certified);
 2. NBI Clearance (valid from the time of application);
 3. Certified true copy of transcript of college records. If none, HS records;
 4. "Fit to work" clearance from a licensed medical practitioner (1 year valid from date of application); and
 5. Negative Drug Test Clearance (valid from the time of application).

**PAGCOR reserves the right to request for additional documents.*
 - ii. For **Managerial Position (Class A)**:
 1. Documents required for Non-Managerial Position (Class B, C and D); and
 2. Income Tax Return (ITR) From 1701 or Form 2316 (previous year).
 - iii. For **Foreign Employee License (Class E and F)**:
 1. Valid PASSPORT from country of origin;
 2. Valid EMPLOYMENT PERMIT issued by the Department of Labor and Employment (DOLE) certifying the non-availability of a person in the Philippines who is competent, able and willing at the time of the application

to perform the services for which the alien is required (valid from the time of application);

3. Valid WORKING VISA issued by the Bureau of Immigration and Deportation (BID) (valid from the time of application);
4. NBI Clearance(valid from the time of application);
5. "Fit to work" clearance from a licensed medical practitioner(valid from the time of application);
6. Negative Drug Test Clearance (valid from the time of application); and
7. Such other documents that PAGCOR may deem appropriate.

c. Lastly, the applicants then proceed to pay the corresponding processing fee:

- i. Local Managerial (Class A) : P 5,000.00
- ii. Local Supervisory (Class B) : P 4,000.00
- iii. Local Rank & File (Class C) : P 2,200.00
- iv. Support Personnel (Class D) : P 300.00
- v. Foreign Managerial (Class E) : P 15,000.00
- vi. Foreign Non-managerial (Class F) : P 8,000.00

NOTE: Above fees are non-refundable

6. Upon completion of requirements and payment of corresponding fees, can I already apply in any gaming establishment?

- a. Yes. The Official Receipt (OR) representing payment of corresponding fees will serve as Temporary Gaming Employment License if the preliminary review of the application documents and criminal history check does not indicate any discrepancies that could result to denial. This shall be valid for a limited 90 day period which will commence on the date of issuance.

7. What happens to the application after it gets filed?

- a. PAGCOR through the Verification Section, HRDD will conduct a background investigation within a 90-day period to ascertain the fitness of the applicant for participation in the gaming industry. PAGCOR will make every effort to handle each application in the most expeditious manner possible but will take whatever time necessary to conduct a thorough background investigation.
 - i. If the background investigation was completed within the 90 day period, the license will be released.

- ii. If the background investigation has not been completed after the 90 day period due to the complexity of the investigation, the validity of the temporary license will be given an extension for a period of 30 days.

8. What is the background investigation all about?

- a. The background investigation is the means by which PAGCOR ascertains the applicant's fitness to hold a gaming employment license. During the background investigation, PAGCOR will probe the applicant's integrity and honesty. Also, work performance in previous employment will play a big factor in the decision to grant the license.
- b. To expedite the investigation, the applicant needs to fill out the application forms as completely and as honestly as possible. Erroneous or misleading entries could lead to longer investigations which would delay the release of the license or to an outright denial.

9. What happens after the investigation is completed?

- a. As cleared by its Verification Section, HRDD will then recommend to the Board of Directors the granting of gaming employment license to the applicants. After the Board of Directors approves the applications, PAGCOR would then process the printing of license for issuance.

10. What are the grounds for denial of the application?

- a. PAGCOR will deny the application and revoke the temporary license if in the course of the background investigation it appears that:
 - i. The documents or information provided is fictitious, false or misleading.
 - ii. The employee has been dismissed by PAGCOR or a licensee for just causes under the law.
 - iii. Employee is convicted of any crime involving moral turpitude or any crime which is inimical to PAGCOR policy concerning gaming.
 - iv. Tested positive for any dangerous drugs.
 - v. Being identified as a member or associate of organized crime.
 - vi. Analogous instances.

NOTE: *The license is automatically revoked when the employee is terminated or separated from the service for cause either by PAGCOR or by a licensee.*

11. What if my application is denied because it falls under one of these grounds?

- a. If the application was denied on the basis of one of the grounds specified, the applicant may file a written request for reconsideration within thirty (30) days from the time the notice of denial was received. The applicant may state reasons and attach supporting documents and evidence to support his request for reconsideration. PAGCOR shall decide the request for reconsideration within 90 days.
- b. An applicant who has filed a letter of reconsideration within the above specified period shall be given a 30-day extension of his temporary license by PAGCOR while his application is pending reconsideration.

12. What happens after the license is released?

- a. The licensee may now use the license as part of the requisite papers needed to work in any gaming establishment. Validity of license is as follows:
 - i. Class A, B, C, E & F - three (3) years and shall expire on the applicant's birth date on the third year.
 - ii. Class D - one (1) year and shall expire on the applicant's birth date on the following year.
- b. Example: Applicant A submitted an application for a license on January 15, 2009. He was granted the license on April 15, 2009. His birthday is August 1, 2009. In this case, the applicant's license is considered valid until August 1, 2012 for Class A, B, C, E & F and August 1, 2010 for Class D. Why?
 - i. August 1 - since that is his birth date.
 - ii. The year 2012 for Class A, B, C, E & F- since that is the third year from the issuance of the license (2009 + 3 years = 2012); and
 The year 2010 for Class D since that is the following year after from the issuance of the license (2009 + 1 year = 2010).
 - iii. Reminder: The date of renewal is based on the applicant's birth date, not on the date of issuance. This makes it easier for you to remember.

NOTE: Licenses may be renewed 30 days prior to the date of expiration.

13. After the regular license has been granted, can it still be revoked?

- a. Yes, for the same grounds specified under the grounds for denial (*Item no. 10*)

14. What if my application is revoked?

- a. If the licensee received a notice of revocation of license stating the charges against him, he must file a written reply within five (5) days from receipt of the notice. Failure to submit a written reply within the specified period shall be deemed as a waiver of his right to be heard and PAGCOR shall render a decision based on the available evidence.
- b. Within ninety (90) days after the date of receipt of the person's reply, PAGCOR shall send to the person its decision sustaining or reversing the notice of objection or revocation of gaming employment license.
 - i. If PAGCOR reverses the notice, it shall dismiss the charges against the person.
 - ii. If PAGCOR affirms the notice, the person may once again submit a written letter of reconsideration within fifteen (15) days from receipt of decision which shall be evaluated within ninety (90) days. If PAGCOR affirms the denial, it shall send FINAL NOTICE OF DENIAL.

15. How do I renew the license?

Thirty (30) days prior to the expiration of the gaming employment license, you may renew your license by paying the renewal fee and submitting the following documents:

FOR FILIPINO CITIZEN

- a. Accomplished GEL renewal form
- b. NBI Clearance (*1 year validity from date of issuance*)
- c. Income Tax Return (ITR) - Form 1701 (Annual Income Tax Return) stamped received by BIR **or** Form 2316 (Certificate of Compensation Payment/Tax Withheld) signed by Head of Accounting/ Human Resource or authorized representative
- d. Negative drug test results from a government accredited clinic/hospital. (*1 year validity from date of issuance*)

FOR FOREIGN NATIONALS

- a. Accomplished GEL renewal form
- b. Valid Passport
- c. Valid Employment Permit - *issued by DOLE (valid from date of issuance)*
- d. Valid Working Visa - *issued by BID*
- e. NBI Clearance (*1 year validity from date of issuance*)
- f. Income Tax Return (ITR) - Form 1701 (Annual Income Tax Return) stamped received by BIR **and** Form 2316 (Certificate of Compensation Payment/Tax Withheld) signed by Head of Accounting/ Human Resource or authorized representative

- e. Negative drug test results from a government accredited clinic/hospital *(1 year validity from date of issuance)*
- f. Other documents that PAGCOR may deem appropriate.

FOR CLASS – D

- a. Accomplished GEL renewal form
- b. Police Clearance - *NBI clearance must be submitted every three years of renewal. (1 year validity from date of issuance)*
- c. Negative drug test results from a government accredited clinic/hospital *(1 year validity from date of issuance)*
- d. Income Tax Return (ITR) Form 1701 or Form 2316.