



Standard Operating Procedure for Overseas Employment Program

**Department of Employment and Entrepreneurship
Ministry of Industry, Commerce and Employment**

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Introduction

The SOP for the Overseas Employment Program (OEP) is developed based on the Regulation on Employment of Bhutanese Overseas 2021 (REBO), and will serve as the guiding document for the implementation of the OEP. The SOP shall outline the implementation procedures for the OEP.

Objective of OEP

- To keep youth meaningfully engaged.
- Enable youth to gain relevant work knowledge, skills, experiences and exposure.
- To contribute towards foreign currency reserves through remittances.
- To contribute towards employment generation through economic activities upon their return.

Objective of the SOP

- This SOP shall provide uniform and systematic procedures for the effective implementation of the OEP.

Vacancy Announcement and Recruitment

In line with the Clauses 29 (a), 31 and 52 of the REBO 2021, any Foreign Employer interested to recruit human resource from Bhutan, should submit the demand letter as specified in Annexure II of the REBO, 2021 to the Ministry either through the Department of Employment and Entrepreneurship (DoEE), or through the Registered Bhutanese Overseas Employment Agent/s (RBOEA/s).

The DoEE will carry out the following:

1. Receive, verify and process for Ministerial approval the demand letters received from the Foreign Employers/RBOEAs through the BLMIS and hardcopy as required.
2. Convey in writing the decision of the Ministry on the demand letter/ proposal received to the Foreign Employers/RBOEAs.
3. Upon approval of the demand letter, announce the vacancies on the MoICE website (for those direct recruitment by the DoEE) while for the recruitment through the RBOEA, DoEE will endorse the vacancy submitted online while submitting the demand letter.
4. Shortlist candidates for direct recruitment by the DoEE based on the following criteria:

- a. Be a registered job seeker.
 - b. Be a Bhutanese citizen.
 - c. Have minimum qualification of class 10 pass.
 - d. Should not be less than 21 years old and not more than 29 years old.
 - e. Should not be engaged in any training program or have any employment obligations.
5. Ensure that the RBOEAs follow the shortlisting criteria.
 6. Forward the shortlisted candidates to the Foreign Employer for the selection process.
 7. Forward notification to the shortlisted candidates, and make the website announcement on the interview schedule as and when required.
 8. Facilitate selection interview as required by the Foreign Employer.
 9. Facilitate signing of employment offers with the selected candidates for direct recruitment through DoEE.
 10. Ensure that following documents are produced by the selected candidates, inclusive of those candidates going through the RBOEA:
 - a. Passport copy.
 - b. CID copy.
 - c. Medical Certificate for overseas employment.
 - d. Security Clearance (Hard Copy) obtained from RBP.
 - e. Latest Academic transcript copy.
 - f. Translated Marriage Certificate (if married and placed together in the Middle East).
 - g. Any other document/s as required by the respective Foreign Employer.
 11. For the Middle East countries or as required by the destination country, ensure the documents specified in sl.10 are attested by the Royal Court of Justice (Government Notary Body), Ministry of Foreign Affairs and External Trade.
 12. For those going to Kuwait, the documents specified in sl.10 along with the visa must be stamped by the Kuwait Embassy of Bhutan.
 13. Conduct pre-departure briefing for the candidates and their guardians upon the confirmation of flight tickets, and ensure the pre-departure is provided by the RBOEAs as well.
 14. Process signing of Legal Undertaking with the selected candidates and their guardians during the pre-departure briefing, and conduct verification of the following documents:
 - a. Documents specified in sl. 10.
 - b. CID copy of guardian.
 - c. Offer letter copy (in case the candidate availed the overseas employment through the RBOEA).
 - d. Visa copy/ work permit.



- e. Money receipt (in case the candidate availed the overseas employment through the RBOEA).

15. Ensure that the guardians are either a family member, close relatives or spouse.

Deployment

As required by Clause 56, the RBOEA/s should notify the CLA if the agent is unable to deploy within 90 days.

The DoEE will carry out the following:

16. Receive and review the application received from the RBOEA/s.
17. Submit the review report to the CLA and seek necessary directives.
18. Convey the decision of the CLA to the RBOEA/s in written form.

Data Compilation and Report submission

For the evidence-based reporting and implementation of the program, data on OEP is mandatory. Further, Clause 45 requires the RBOEAs to submit a quarterly report or as and when required, including the status of the BOWs (renewal of contract/ extension/ change in employment/ return/ others) to the Department/CLA in the format prescribed in Annexure III of REBO 2021.

The DoEE will carry out the following:

19. Collect, compile, update and maintain records on the BOWs including their status (renewal of contract/ extension/ change in employment/ return/ others).
20. Compile report and submit to the CLA and any other agencies as demanded.
21. Ensure the RBOEAs submit reports on a quarterly basis or as and when required.
22. Ensure that RBOEAs and BOWs report on their renewal of contract/ extension/ change in employment/ return/ others.

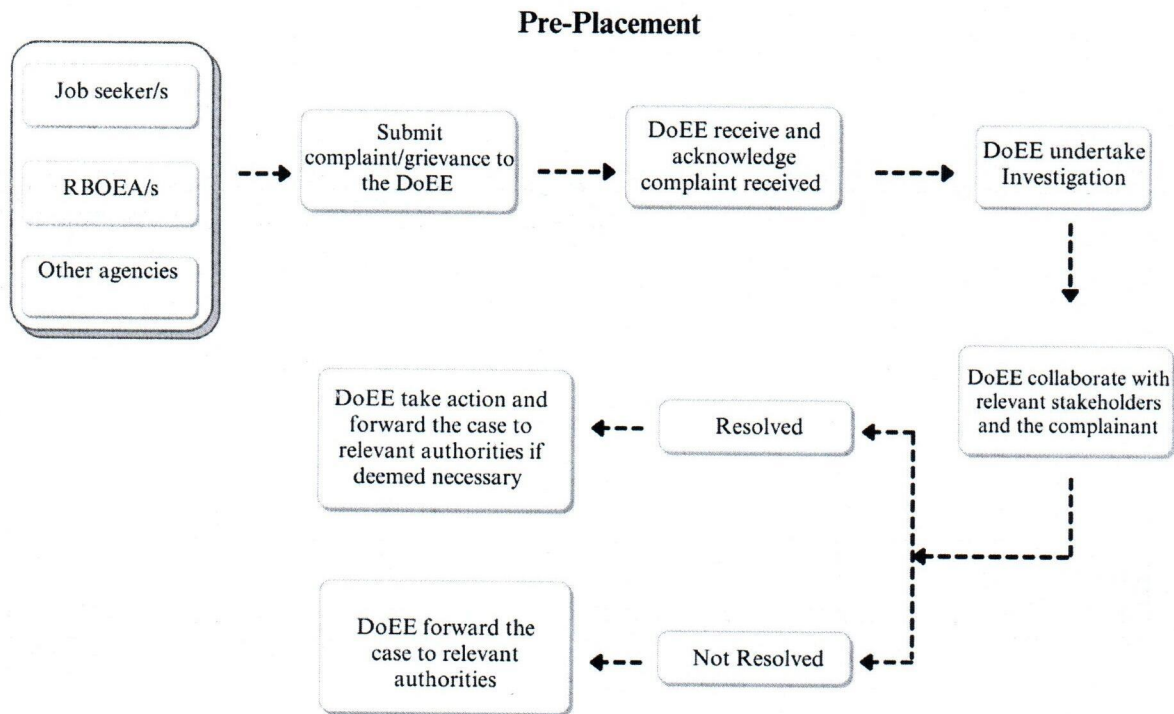
Complaint Redressal

As per Clause 73 of the REBO 2021, “Any person may file a written complaint on overseas employment to the Department as per the prescribed format in Annexure VI”. There is also a provision for the individuals to submit complaints through BLMIS, Overseas Employment Portal



or any other formal medium. In addition, Clause 80 indicates that redressal of complaints shall be carried out as per the guideline or SOP of this regulation.

Fig.1. Complaint redressal flow chart (pre-placement).

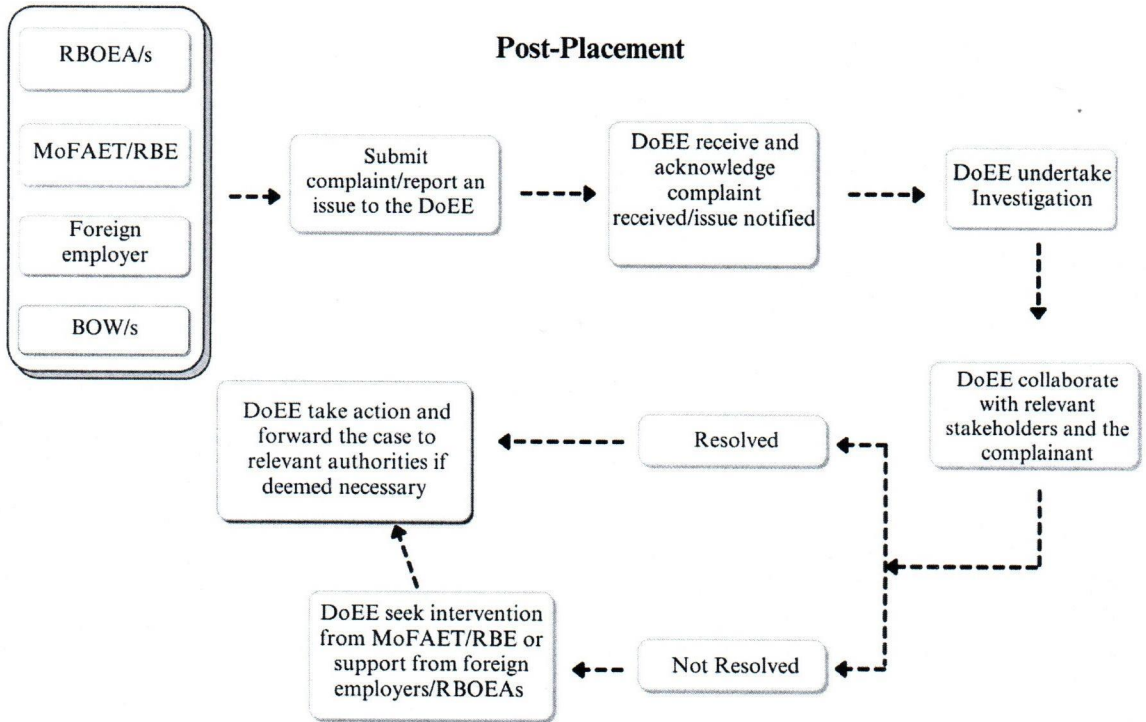


23. The DoEE will carry out the following for complaints related to pre-placement:

- a. Receive, record (in excel sheet) and acknowledge the complaint/grievance from jobseekers/ RBOEAs/ any other relevant agencies.
- b. Open individual case reports and record updates on cases including actions taken to resolve the case.
- c. Undertake the case investigation and report to the CLA.
- d. Collaborate with relevant stakeholders and complainant to resolve the case.
- e. Notify the respective RBOEA for necessary action and support, if the case is related to RBOEA.
- f. Take necessary action and forward the case to the relevant agencies, if deemed necessary.
- g. Submit a detailed case report to the CLA and update the status of the case.



Fig.2. Complaint redressal flow chart (post-placement).



24. The DoEE will carry out the following in complaints related to post-placement:

- a. Receive, record (in excel sheet) and acknowledge the complaint/ grievance from RBOEA/s, MoFAET/RBE, Foreign employers and BOWs.
- b. Open individual case reports and record updates on cases including actions taken to resolve the case.
- c. Undertake the case investigation and report to the CLA.
- d. Collaborate with relevant stakeholders including the RBOEA and complainant to resolve the case (if the candidate was placed through agent).
- e. Request/inform the respective Foreign Employer for their intervention and support if the complainant was placed through the Ministry.
- f. Seek intervention from the MoFAET/ RBE if the Ministry and/or the RBOEA are not able to resolve the case, and also for those complaints received from the complainant who went on their own.
- g. Take necessary action and forward the case to the relevant agencies, if deemed necessary.
- h. Submit a detailed case report to the CLA and update the status of the case.

Monitoring and Evaluation

As required by Clauses 35 and 36, the Ministry shall authorize officials to monitor RBOEAs bi-annually and as and when required, and conduct monitoring visits to countries where BOWs are placed.

The DoEE will carry out the following:

25. Seek approval to conduct bi-annual in-country monitoring from the Ministry.
26. Finalise and submit a monitoring report to the Division with a copy to the Department and the Ministry, and take actions accordingly.
27. Prepare annual ex-country monitoring visit schedule and seek Ministerial approval.
28. Prepare and submit relevant documents for travel to the HR for the HRC approval and process documents for travel.
29. Prepare survey questionnaires to be administered by the monitoring team with Foreign Employers and BOWs.
30. Finalise and submit a monitoring report to the Department and present to the Ministry, and take actions accordingly.
31. Conduct tracer study/evaluation of the OEP biennially.

Registration Renewal

As specified in Clause 13, the RBOEA shall submit an application for the renewal of its registration 15 working days before its expiry.

The DoEE will carry out the following:

32. Receive registration renewal application from RBOEA through BLMIS or any other formal medium.
33. Form a committee and seek approval from the Ministry.
34. Conduct review, evaluation and inspection by the committee.
35. Submit inspection reports and recommendations to the Ministry for further directives and approval.
36. Convey the decision of the Ministry to the RBOEA formally.
37. If approved, issue the Certificate of Registration (CoR) to the RBOEA after the deposit of the agent fee to the Ministry.



Change in Location

Clause 18 of REBO 2021 states that the RBOEA shall notify the Department of any change in location of office or expansion of office.

The DoEE will carry out the following:

38. Receive application for change of location or expansion of office from the RBOEA through BLMIS or any other formal medium.
39. Form a committee and seek approval from the Ministry.
40. Conduct review, evaluation and inspection by the committee.
41. Submit inspection reports and recommendations to the Ministry for further directives and approval.
42. Convey the decision of the Ministry to the RBOEA formally.

Withdrawal of RBOEA

Clause 18 of the REBO 2021 mandates the RBOEA to notify the Department on closure of the Office.

The DoEE will carry out the following:

43. Receive withdrawal application from RBOEA and verify the records and submit the findings to the Ministry.
44. Convey the decision of the Ministry to the RBOEA formally.
45. Process for withdrawal and refund of the security deposit if there are no obligations as per Clause 22 of REBO 2021.

Additional Destination Country/ Countries for the RBOEA

The RBOEAs are mandated to submit proposals/ applications for additional/ new destination countries to the Ministry for approval as per Clause 54. The BLMIS also has the provision for the RBOEA to apply for additional/new destination countries.

The DoEE will carry out the following:

46. Receive and review the request for additional destination country received through BLMIS or any other formal medium.

47. Seek support from the Ministry of Foreign Affairs and External Trade to assess and approve the proposed destination country/countries, if required.
48. Seek approval from the Ministry.
49. Convey the decision of the Ministry to the RBOEA (reject or approve) through the BLMIS or any other formal medium.

Transfer of Ownership

Clause 19 of the REBO 2021 allows the transfer of ownership of the RBOEA to only immediate family members of the proprietor, upon approval from the Ministry.

The DoEE will carry out the following:

50. Receive and review the application from the proprietor of the RBOEA to transfer the ownership through any formal medium.
51. Conduct document verification (family tree, CID, security clearance, marriage certificate in case of transfer to spouse, birth certificate of children, and other documents).
52. Seek approval from the Ministry.
53. Convey the decision of the Ministry to the RBOEA formally.
54. Process for ownership transfer.

Proposal for new registration

Any individual interested to operate as a RBOEA is required to submit an application as per Clause 7 of REBO 2021 along with the proposal prescribed in Annexure I.

The DoEE will carry out the following:

55. Receive proposals from interested applicants for registration as RBOEA through BLMIS or any other formal medium.
56. Form an interdepartmental committee and seek approval from the Ministry.
57. Conduct review, evaluation and inspection by the committee.
58. Submit inspection reports and recommendations to the Ministry for further directives and approval.
59. Convey the decision of the Ministry to the applicant through BLMIS or any formal medium.

60. If approved, issue the Certificate of Registration (CoR) to the applicant after the deposit of the agent fee and the security deposit to the Ministry as specified in Clauses 20 (a) and 21 of REBO 2021.
61. Receive a copy of trade license from the applicant through any formal medium or through the BLMIS within 15 working days.
62. Issue a written notification if an applicant fails to submit the copy of trade license.
63. Process cancellation of CoR upon failure of submission after issuance of notification.

Note: Issuance of CoR for registration as RBOEA is currently on hold since January 2017.

Approved by:



(Kunzang Lhamu)
Director General

