



Transient Workers Count Too
DIGNITY OVERDUE

NEWSLETTER

WEEKLY
DAY OFF
FOR ALL

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By Many Routes....

Since TWC2 was launched, we've said that we aim to further our goals by three means: through direct services, research and advocacy. Nearly 90 per cent of our budget last year, and probably at least as much of our volunteer time, went into direct services last year, but we've continued to stress the importance of our research and advocacy. Our logic is clear: it is better to deal with the kind of problems that bring migrant workers to us at source, than keep on doing 'damage repair' – and have workers needlessly going through hardships that could have been avoided.

Our advocacy has included making proposals for changes in laws and regulations that our practical experience has suggested to us are needed. Many have been collected together in the form of carefully researched and considered recommendations for the amendment of the main laws concerning migrant workers: we have now proposed amendments to the Employment Agencies Act, Employment of Foreign Manpower Act (EFMA), regulations issued under EFMA and the Employment Act. We have made clear proposals on what needs to be done to put in place an effective and victim-centred approach to tackling trafficking.

Public Education

In parallel to our initiatives on policy, TWC2 has undertaken public education. We have an active website that has new articles added every few days. We contact the media or (much more often) are contacted concerning migrant worker issues at least once or twice a week, and do our best to be helpful in providing reliable information and fair and considered comment.

Providing information to students and researchers is very time-consuming, often involving not only responding to written questions but also meeting with individuals or groups. When Immediate Past President John Gee sorted through his records of such contacts after stepping down from the TWC2 Committee in March, he found records of responses to no less than 500 individual students and researchers since TWC2 was launched in 2004, and that doesn't include those people that other volunteers responded to independently. We have also often provided speakers for seminars and conferences and last year alone ran eight day schools for students. It is intensive work, but we hope that all those who seek information from us go away better informed, and this in itself contributes significantly to creating a better climate of opinion not only in favour of changes in official policies, but for daily interactions with migrant workers.

TWC2 will continue to rely heavily on its volunteers in all areas of its work, and public education is no exception. We want to continue to be good at responding to information and speaker requests, but we need more volunteers in these areas. We'd like to hear from people willing to help. We can provide mentoring and point to information resources that can be drawn upon – so please let us know if you are ready to take this on.

Heartbeat

Heartbeat is TWC2's monthly gathering for volunteers and people interested in volunteering. This year, it is generally being held on the second Wednesday of each month.

The next session is scheduled for Wednesday, 8th May. However, registration for May is closed as there was an overwhelming response.

If you are interested in attending TWC2's Heartbeat, registration is now open for 12th June 2013.

Kindly drop us an email at info@twc2.org.sg to confirm your attendance. Registration is on a first-come-first-serve basis. Thank you, everyone, for your support!!

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Events

27th February: TWC2 President, Russell Heng, attended a Rotary E-Club fundraiser. Part of the proceeds came to TWC2.

25th March: Immediate Past President, John Gee, spoke to a class of Singapore Management University (SMU) students on the problems faced by migrant workers and where they could turn for help.

2nd April: John Gee spoke about migrant workers to a visiting group of 25 Liverpool University students who managed to squeeze into the TWC2 office.

3rd April: John Gee spoke at a lunchtime forum at SMU. The speech, titled 'Allies or Adversaries: What Future for Migrant Worker-Singaporean Relations?' was followed by a question and answer session that lasted until the forum ran out of time.

4th April: Russell Heng and John Gee went to a meeting at the Building and Construction Authority after TWC2 shared a memorandum on training of construction workers in Bangladesh for employment in Singapore with it. The memorandum will be released to the public later this year.

8th April: John Gee spoke to two groups of 800 students at Dunman High School on International Friendship Day, focusing on the experiences of domestic workers and how students can show consideration for their domestic workers.

12th April: A group of Murdoch University students made a presentation about their project work about raising TWC2's profile. They had spent weeks working on the presentation, for which they made a video and designed an outreach information card.

TWC2 AGM-2013

TWC2's direct services assisted 2825 workers in 2012: the highest number ever. The Cuff Road Project served 101,819 meals during the year.

The society presented recommendations for the amendment of the Employment of Foreign Manpower Act. It issued the research report 'Worse Off For Working', followed, at the beginning of 2013, by 'Troubled Waters', a report on Filipino men trafficked into the fishing industry, written in 2012. Our website drew praise and attention: the top story, 'How low can a salary go?' had about 35,000 hits, and our Facebook Page 'Likes' passed 2,300 in March 2013. We conducted eight day-schools during the year and had a successful International Migrants Day sports event, with over 300 workers taking part.

These were some highlights of TWC2's activities in 2012, reported at this year's Annual General Meeting (AGM) on March 24th.

40 members attended the AGM, as well as all four staff. Ongoing president, Russell Heng, spoke about the society's progress in the past year. At the time of our 2012 AGM, we were down to one staff member and worried about running out of money within six months. Since then, we've succeeded in raising the money to covering most of our costs for 12 months ahead, and we now have a strong team of two full time social workers and two part time office staff who work well together.

Outgoing secretary Yew Kong Leong delivered the committee's report, which included the highlights mentioned above. As outgoing treasurer, Alex Au, was away, Russell delivered the financial report, which showed that the society had raised \$638,555 and spent \$540,961 last year. Only 10.5 per cent of expenditure went on operational costs, such as salaries and rent. The rest was spent on direct services to migrant workers. The CAREFund is very low now, however.

The constitutional amendments proposed were all passed with no-one against.

The elections at the AGM brought three new members onto the committee. There had been one vacancy and two veteran members, Wang Eng Eng and John Gee, stepped down from the committee at this AGM.

The new committee is:

- Russell Heng Hiang Khng (President)
- Alex Au Wai Pang (Vice-President)*
- Noorashikin Abdul Rahman (Treasurer)*
- Bashir Basalamah (Secretary)
- Shelley Thio Sin Hwee (Ordinary Member)
- Deborah Desloge Fordyce (Ordinary Member)
- Yew Kong Leong (Ordinary Member)
- Robert Teo Wei Long (Ordinary Member)
- Jill Ratnam (Ordinary Member)

For the first time since the society was established in 2004, there has only been one Permanent Resident on the committee; all other members are Singapore citizens. New committee members Jill Ratnam, Robert Teo and Bashir Basalamah are all experienced in volunteering with the society. Wang Eng Eng and John Gee were thanked for their contributions to the society over the years: both have been with TWC2 since it was launched.

Workplace Injuries and Migrant Workers

The annual Workplace Safety and Health Statistics Report (WSHSReport) for 2012, released in March, showed that the number of workplace deaths had fallen to 56, its lowest level in nine years. However, the total number of injuries had risen over 10 per cent on 2011, to 11,113. There are strong indications that migrant workers form a disproportionately large proportion of those killed at work, and probably of those injured too.

The statistics do not provide a breakdown of the dead and injured by nationality, but a good case can be made that they should. That would inform public discussion of work safety strategies and measures: it surely makes a difference whether the issue has to be tackled in local languages or foreign languages, or through media that Singaporeans use most or ones with which migrant workers are most familiar. TWC2 is well aware that work safety literature and posters are already produced in the languages of most migrant workers' countries of origins, but this is not the same as distributing such information within a framework established through a full recognition of the composition by nationality of the victims of serious accidents.

Media reports of accidents don't make good the blank spot in the official statistics, as they often do not indicate the nationality of those killed and injured. We found media reports for 2012 that specifically identified 10 male migrant workers among those killed, seven of whom were in the construction sector. They included four Chinese (two killed in the Bugis Junction accident in July), three Bangladeshis, two Indians and one Indonesian.

The WSHSReport states that the number of fatal accidents in the construction sector last year was 26 – nearly half the total for all sectors. Of a total of 588 people with serious injuries in all sectors, 153 were in construction. In the marine sector, there were six fatalities and 31 major injuries. In construction, some 80 per cent of all employees are migrant workers, but they are almost entirely absent from the low accident risk management, supervisory and clerical sectors of the industry. The marine sector also employs a high proportion of male migrant workers in manual jobs. It seems probable that almost all of those killed in these sectors were migrant workers. 12 fatalities and 140 major injuries occurred in manufacturing, where the quota for migrant workers was reduced to 60 per cent as of July 2012. Assuming the quota to be fully used and a tendency for migrant workers to be concentrated in the more hazardous jobs, it would seem that at least eight of the 12 fatalities would be of migrant workers. At a very rough calculation, this would suggest that migrant workers made up no less than 40 out of the 56 fatalities last year.

This suggests that strategies for enhancing work safety should focus on migrant workers, though without neglecting locals. At the informational level, this certainly includes providing safety advice in workers' languages and seeking to communicate it in the most effective forms, taking into account their different cultural norms. This much seems to have been largely taken on board by MOM and the Workplace Safety and Health Council. What also needs to be recognized is that the circumstances of migrant workers' employment need to be tackled to promote safety.

Workers who feel that they are at risk of being sent home by their employers if they don't do as they are told may hesitate to report safety violations by employers or to refuse to carry out orders that put them at risk. This is one good reason to take away the ability of an employer to fire and send a worker home without valid cause. It is also the case that witnesses may be persuaded or coerced not to reveal what they know about an accident that resulted in death or injury for a co-worker for fear of losing their jobs. Investigations into the circumstances of a major accident rely heavily on witnesses, and unscrupulous employers are known to repatriate other workers involved, or threaten them if they speak up.

Workers who do excessive overtime may be less attentive than otherwise to safety issues; they need to be protected against pressure to perform it, but it would certainly help if their basic pay rates were such that it was less tempting. As it is, many workers welcome overtime work to make up their pay and collude with employers to work long hours. An on-site union presence, by labour unions committed to intervene actively, pre-emptively and sympathetically to counter hazardous conditions and practices, would also help.

Other Deaths

There are certainly migrant worker deaths that are not included in the statistics contained in the WSHSReport, particularly those in the informal sector – primarily domestic workers, nine of whom died in falls from their employers' homes in high buildings in the first half of 2012. Another domestic worker was killed when a lift fell on her in May.

When workers are killed otherwise than at the workplace, it is only to be expected that they will not be included in the WSHSReport, but it should be acknowledged that if they were not working in Singapore, they may not have been killed. Such fatalities include two Bangladeshis and one Indian killed in three different crashes of vehicles transporting workers last year, and also the death of Pitchaikannu Kannan, who fell to his death at his dormitory after an evening of drinking with friends after working for less than a month (*Lim Yan Liang, Straits Times, 18/12/2012*).

All migrant workers make personal sacrifices for the sake of their families, but some pay a heavier price than they had ever expected. Perhaps a strategy that involves dialogue with migrant workers and engaging them in finding solutions, as well as listening to the constructive points made by societies such as our own on road safety and the impact of workers' vulnerability to undue pressures from employers could reduce this toll further.

Navigating a Tricky System

For the purpose of this article, I spoke with Filipino Family Network (FFN) member Rhemy to find out more about the difficulties foreign domestic workers can have in seeking help in cases of ill treatment.

While Rhemy herself has been fortunate enough to be employed for the last 18 years by a family that treats her as one of their own, her cousin Che was not so lucky. Rhemy was kind enough to share her cousin's story with me.

Like many domestic workers that come to Singapore, Che arrived on our shores ready to start earning money for her family back home. Unfortunately, what awaited her was two months of discomfort and a look at how confusing it is for foreign domestic workers to navigate the procedures of reporting and fighting a case against improper treatment.

Che's first employer did not adhere to the Ministry of Manpower's (MOM) regulations on provision of accommodation.

MOM's guidelines for foreign domestic worker accommodation state that if it is not possible to provide the worker with a separate room of her own, employers should at least make sure that enough space is provided for her to sleep and that basic needs (such as food, a blanket, towels, toiletries etc) are provided. The guidelines also state that it is considered improper to make a foreign domestic worker sleep in places with little privacy.¹

Che was made to sleep in the laundry room of her employer's house. This meant that every night, Che was expected to clear out items such as detergent boxes from the room to make space for her mattress. This arrangement also meant that during the day, Che had no place to herself and that she was not granted any privacy. Che also told Rhemy that the window to the laundry room could not be shut and each time it rained, her sleep was interrupted and she was unable to get a proper night's rest.

Che also mentioned that every time the family left her alone in the house, they locked the door behind them and did not provide her with a key. Not only was this practice unsafe as it prevented Che from getting to safety in the event of an emergency, but it also increased her feelings of isolation and served to create a greater barrier between Che and her employers.

Rhemy had advised Che to wait a little longer and to first speak to her employers to see if the situation could be improved, but after two months of inadequate rest and feeling emotionally and mentally drained, Che ran away to seek shelter with the Philippines Embassy.

This is where the situation started to get really harrowing. Whilst in the shelter, Che received word that her employers were willing to allow her to be transferred, that she should consider the situation resolved and should return to their home to wait for the transfer to be finalised.

Rhemy, who has helped other foreign domestic workers in similar situations, felt that this was not the proper route for the situation to go and insisted that Che file a complaint with MOM.

When Rhemy and Che got to the MOM office, they were informed that Che's work permit had in fact already been cancelled. Had Che returned to her employer's house, it was likely that she would have been sent home right away.

Armed with this new information, Che was able to secure a Special Pass and a date was set for a meeting to take place between Che and her employer at the MOM office. When the meeting took place, Che's employers refused to approve a transfer citing the reason that they had been kind to Che and that she was letting them down by claiming otherwise.

Once the mediation failed, MOM paid a visit to Che's employer's house to investigate the claims of inappropriate accommodation. Once MOM had completed the investigation, they ruled that the accommodation had indeed been inadequate and that Che's work permit would be reinstated and she would be transferred to another employer.

Che went on to work for another two years in Singapore before heading back to the Philippines. She still has plans to return to Singapore to work.

While Che's story ends rather well, the amount of time the process took is a real cause for concern.

Even with the help of Rhemy and a caseworker from TWC2, both of whom have had experience with similar situations, it still took 21 days for Che's work permit to be reinstated. It is not hard to imagine that the process would have dragged on for much longer had it been one of a foreign domestic worker trying to fight the case on her own.

Another worrying issue is how without the good fortune of knowing someone with knowledge of how the system works, Che could have been sent home without anyone even investigating her claims. It is quite disconcerting to think of how many other women may have been in similar situations but slipped between the cracks and were not granted justice.

Perhaps the question we should be asking is if foreign domestic workers are informed enough about the steps they should take in the event they are unjustly treated. Is there enough information reaching them about whom they should go to for help and what the proper procedure should be? The flip side to this experience is that it does show that a worker who is well informed

and well advised often can achieve a positive outcome in resolving grievances.

¹: Ministry of Manpower Website, 2013 (<http://www.mom.gov.sg/foreign-manpower/passes-visas/work-permit-fdw/before-you-apply/Pages/default.aspx#wellbeing>)

“Hard Times, Easy Money” – Tales of a Special Pass Holder



‘Beyond the Border, Behind the Men’ on stage at Lembu Road

On Good Friday (March 29th) afternoon, I made my way down to Lembu Road to watch a performance featuring some of the men I had met at the Cuff Road Project. They had been very excited about the production and made a point to mention it each time I saw them. Their enthusiasm was infectious and I was looking forward to seeing what they had put together.

The performance was the product of the collaboration between Beyond the Border, Behind the Men (BTBBTM) and Dibashram, a social gathering place in Little India for Bangladeshi workers.

The program for the afternoon consisted of three parts: a performance by the BTBBTM music team, a showcase by several migrant workers and finally the staging of the play titled "Hard Times, Easy Money".

The music team from BTBBTM went on first. Comprised of both Singaporeans and Bangladeshi migrant workers, the group performed a six-song set made up of both Bengali songs and English songs. I thought the group's rendition of 'Sing it to the World' was particularly brilliant. The group's toe-tapping version was performed in both Bengali and English and accompanied by traditional Bangladeshi instruments. Judging by the crowd's response, I would venture the guess that many in the audience shared my positive sentiments as well.

Another crowd pleaser was the team's version of 'Gangnam Style'. Just when I thought the popular South Korean song had been covered in every way possible, the BTBBTM music team proved me wrong. Armed with their own energetic dancer, the team managed to rouse the crowd to join in and chant the fittingly adapted line, "Oppa Bangla Style!"

Some members of the music team doubled up as cast members in the play and while they exited the stage to get into costume, The stage was handed over to several talented migrant workers who kept the crowd entertained with Bengali songs and stellar break dancing performances.

'Hard Times, Easy Money' was written and directed by Osman Sheikh, a migrant worker currently awaiting compensation for a workplace injury. The play moved at a very fast pace and gave the audience a look at the lives and troubles of migrant workers holding Special Passes.

Due to Ministry of Manpower restrictions, many workers are not allowed to work while their cases are being processed. This often leads to workers turning to illegal work to make ends meet. As showcased in the play, men resort to illegally selling cigarettes or working at odd jobs that they are introduced to by unscrupulous middlemen acting on their Singaporean bosses' behalf.

The play also reveals that migrant workers face the threat of gangsters who prey on them to steal their passes and money.

The play portrays the hi-jinks that some workers get up to. The unabashed inclusion of topics such as having multiple girlfriends, drinking alcohol and visiting discos and sex workers casts the spotlight on the loneliness and boredom experienced by these men.

Judging by the hearty laughter emitted from the audience around me, there was no doubt in my mind that the play struck a chord with many. While the humor was both well placed and executed, I couldn't help but feel that the familiarity and truth of the situations depicted served to amplify the audience's enjoyment. After all, the best comedy is often rooted in truth.

Behind the laughter and humorous acting, the play served as a reminder to the audience of the difficult issues these men have to navigate in their everyday lives here.

On a more cheerful note, the entire performance also showcased that music and art really does help transcend barriers. No matter what language the audience spoke and what nationality they were, everyone looked like they were having a great time. Personally, I had a ball of a time and I can't wait for their next performance!

The men are planning to put on another play in May (most likely on Labour Day) More details will be available closer to date.

Nicolette Stewart

Who Eats With the Cuff Road Project and Why?

(This article first appeared on the TWC2 website)

The Cuff Road Project (TCRP) has provided more than 360,000 meals to migrant workers since it began in March 2008. Currently, more than 600 men, from India and Bangladesh, register for meals each month. They are no longer permitted to work, but are required to remain in Singapore to wait for the outcome of salary disputes, injury claims, or ministry of Manpower investigations.¹

Cuff Road Meal Project participants, country of origin and cases for 20th October-20th November, 2012

Type of case	Continuing participants			New participants			TOTAL
	Bangladesh	India	Total	Bangladesh	India	Total	
Injury claim	321	71	392	87	18	105	497
Company problem	37	5	42	49	6	55	97
Overstay/ tourist pass	7	8	15	1	0	1	16
Total			449			161	610

Within a recent four-week period from 20 Oct to 20 Nov 2012, 610 men visited the Cuff Road Project for meals. Of these, 497 or 81% have injuries and have made a claim for permanent injury compensation. According to the Work Injury Compensation Act (WICA), they should be housed and fed by their employer. However, these men have left the accommodations provided by the company or been forced out. They describe their employers doing things such as:

- refusing to acknowledge the injury
- failing to allow proper diagnosis and treatment
- making use of a local clinic rather than a government hospital to minimize the injury
- withholding medical forms and medical leave certificates
- failing to lodge accident reports, or failing to assist with injury compensation claims
- attempting forced repatriation

- refusing to provide letter of guarantee for medical treatment, or refusing to pay for medical treatment
- making verbal and physical threats to evict workers from the company dormitory
- disputing that the worker's injury was sustained at the workplace
- refusing to pay medical leave wages
- reducing the average monthly earnings in order to reduce compensation
- contesting medical assessments

The 97 men with salary claims or illegal deployment make up about 16% of the total. They have experienced:

- non-payment or under payment of salary
- miscalculation of overtime pay or holiday pay
- unreasonable / arbitrary deductions for tax, forced savings, utilities, fines
- deductions for medical expenses, airfare, training, protective equipment
- kickbacks to middlemen or employers for job placement or work permit renewal
- forged or forced signatures on salary slips
- illegal deployment to another company or sector

The 16 men categorized as overstayers/tourist pass refers to men who arrived on a tourist pass, usually to work illegally. If caught having overstayed more than 90 days, they are jailed, caned, and released until the investigation into their illegal deployment is concluded. If caught before the expiry of their tourist pass, they are investigated for illegal deployment, but they avoid jail and caning. Our data show that the number of overstayers/tourist pass cases in TCRP has decreased over the last three years.²

Complexity, Uncertainty, Difficulty

Men waiting for the outcome of injury claims, salary disputes or investigations are left without financial support for what in some cases is a very long time. Most of the men are utterly lost and distraught in this situation. They expect that Singapore, with its excellent laws and systems, will protect them. Many have a hard time coping physically and emotionally when confronted with the complexity, the uncertainty, and the difficulty of their situation.

Being without work places a great hardship on both the workers and their extended family. Often their family has sold land or gone into debt in order to raise money for their opportunity to land a job in Singapore. The men agonize over whether to inform their family of their injury or the problem that left them without work or salary. If they reveal their problems, the family will worry, and their wives/mothers will insist that the men come home immediately. Yet going home would mean abandoning their case, and forgoing medical attention, injury compensation, and salary claims. Staying in Singapore could mean months, even years, without any assurance of a successful outcome, while still needing to meet the daily cost of living, travelling and eating in Singapore.

We are aware that some of the men find casual jobs while waiting, but they take a huge risk in doing so. If caught working without a valid work permit, they could be subject to 12 months jail and/or a \$5,000 fine. The men are often given a stern warning, and this may remain on their record and prevent them from returning to Singapore to work.

TCRP Assistance

Through word of mouth, Bangladeshi and Indian men without work or housing gravitate to Little India and eventually find their way to the Cuff Road Project, where they can eat 12 meals each week and access other services. Through TCRP they can visit a free medical clinic (Karunya Clinic run by HealthServe, which charges TWC2 \$5 for each visit). For more serious medical problems they may turn to TWC2's CareFund. At every meal service we have volunteers who offer advice on how to manage the cases, and on how to communicate with the doctors, MOM (Ministry of Manpower), or the police. Some volunteers accompany the men to the hospital for their appointments or to the police station to report beatings or stolen items. Volunteers also assist the men in their communication by email or phone with the hospitals and MOM.

TCRP participants are issued meal cards each month with their name and a few particulars of their case. The meal cards allow us to track how long workers remain in the program, and thus how long until their case is resolved. Some men eat twelve meals a week with TCRP, others only evening meals, others only on certain days. A few of the participants ask friends to collect packet meals on their behalf. If a man comes only a few times a month, it's likely that he has found a place to stay in a dorm far from Little India. Some may be absent for months due to the distance from our restaurants, and return on public holidays to shop or socialize in Little India.

Through our extended association with the men, we come to know about their families, their medical problems, and their personal lives. Many become close friends of our volunteers. They also assist newcomers to TRCP by informing them of MOM regulations and procedures, and offering personal support. As important as the food and other services are, this program alone doesn't address the deeper issues that cause so many men to remain in Singapore jobless and without food or shelter for so long.

1. We have no way of knowing the total number of workers in this situation. The Cuff Road Project attracts men from India and Bangladesh because of the location of the restaurants and the type of food served. We don't know what numbers there might be among other nationalities of migrant workers and in other parts of Singapore.

2. In 2010, TCRP participants included a total of 265 men who were jailed and caned for having overstayed their tourist pass, and none who were caught working on a valid tourist pass. Lower numbers in 2012 (less than 100) suggest increased surveillance of workplaces likely to hire workers without a valid work permit.