



Transient Workers Count Too  
DIGNITY OVERDUE

# NEWSLETTER

WEEKLY  
DAY OFF  
FOR ALL

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## Ten Years On

I am writing this on 11 August 2014. Tomorrow – 12 August – will be precisely the day TWC2 was formally registered as a society 10 years ago. As somebody who has been with TWC2 through all these years, what are my thoughts on this 10<sup>th</sup> anniversary of the organization?

First, TWC2 has grown quite significantly. We started out not sure what the organization should do. Our main concern then was with the abuse suffered by domestic workers. In 2004, we had no budget, no office and no staff. Everything was handled by volunteers and held at venues here and there that were made available by kind supporters. Today, 10 years later, TWC2 operates out of an office in the Golden Mile Complex, has three full-time and one part-time paid staff and provides a host of direct services to both male and female foreign workers. Our operating annual budget is about \$500,000. Most important of all, our understanding of foreign workers' issues has deepened and that places the organization in a much stronger position to do the advocacy work that is our primary objective.

Currently, TWC2's flagship, The Cuff Road Project, provides free meals to needy workers 11 times a week. Our FareGo programme issues free EZ-link cards to help workers get to hospital for their medical appointments. A pilot Project Roof will pay rent for injured workers who need emergency accommodation. TWC2 has two fulltime social workers to handle the casework that arises from the 2,000 plus people who seek help from us in an average year.

We now have two allied self-help groups formed by domestic workers called Filipino Family Network (FFN) and Indonesian Family Network (IFN). They are given free use of the TWC2 office every Sunday to run their self-enrichment courses. They also partner with TWC2 in various outreach programmes.

When necessary, Rest and Recovery volunteers take workers to hospital and track their recovery process. Last year, volunteers initiated Discover Singapore to take workers out on monthly excursions. A revamped TWC2 webpage provides a very up-to-date repository of information about foreign workers problems. This and other regular research products done by TWC2 are a valuable tool of advocacy. Media, researchers and public organizations frequently approach us for our views on foreign workers' issues.

The growth of TWC2 would not have been possible without the contributions of dedicated staff and volunteers. Here on this 10<sup>th</sup> anniversary I would like to thank them all, those who are still with us and those who had to move on to other callings.

I do not want to leave you with an impression that everything is a bed of roses. After a decade, as much as I am encouraged by the steady growth of the organization, I also see major challenges ahead. As we get better at what we do, the organization's human resource needs have grown. We need to

*(Continued on Page 2)*

## Join TWC2!

*If you receive this newsletter, the chances are that you are a member of TWC2. But if you're not – or if your membership has lapsed, how about joining or renewing your membership. It costs only \$10.00 (\$2.00 for migrant workers). It is a way of supporting the society's work while keeping informed of what it does and being able to participate in its development.*

*You can join by contacting the TWC2 office and sending your membership payment. (For details, see back page)*

## Outreach and volunteering

*TWC2 has monthly session of outreach to migrant workers for which we need helpers who can be depended on to show up and distribute information.*

*We also hold monthly briefing sessions for potential volunteers.*

*To register for either, please contact our Administration Officer at: [info@twc2.org.sg](mailto:info@twc2.org.sg)*

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## Ten Years On *(Continued from front page)*

find more volunteers able and willing to commit time regularly to handle existing projects and tend to new ones. TWC2 does not have enough funds to hire an Executive Director to oversee day-to-day operations. Therefore a few volunteers on the Executive Committee put in many hours to get the job done. Some Executive Committee members have to stay in their positions term after term to make up the required quantum. This is not good for governance and sustainability. These members who have been obliged to stay on year after year also need a respite. In a nutshell, TWC2 urgently needs an injection of fresh blood at the leadership level to continue the important work.

**Russell Heng**  
**President, TWC2**



On July 29<sup>th</sup>, Indian Women's Association delegates presented a \$4000 cheque to TWC2 President, Russell Heng, for ProjectRoof and the FareGo programme. For the full story, see: <http://twc2.org.sg/2014/08/08/roof-and-rail-for-injured-workers/>

## Direct Services Report: 2013

In 2013, TWC2 assisted over 3000 migrant workers through its direct services programmes, of whom 2755 first came to us in that year. Of the 2755, 2631 were men and 124 were women. Since launching our helpline in December 2006, the society has assisted a total of nearly 15,000 workers, according to our records – and this doesn't include many others given advice informally or helped by individual society members and supporters. In 2013, our social workers handled 449 cases - that is, giving assistance that required a fair amount of work beyond giving advice or writing a letter about their complaints. Our CAREFund, for emergency assistance, helped 80 workers obtain medical treatment. The Cuff Road Project, our Little India-based food programme, provided 105,544 meals in 2013.

This information on TWC2's direct services and much, much more appears in the society's latest Direct Services Report. The report also considers recent trends that we have recognised and assesses the needs we have and future direction of TWC2's direct services. An appendix summarises our work on trafficking. The report can be viewed at: <http://twc2.org.sg/2014/07/22/direct-services-report-for-2013/>

## One in Three Male Migrant Workers Not Paid What They are Due

Research conducted during TWC2 outreach sessions among workers from a wide variety of employment situations indicates that one third are not paid the money they are meant to be. A further third think they are correctly paid, but do not have the pay slips that would enable them to check that they're right about that.

328 workers were interviewed for the report. For the full report, see the TWC2 website:

<http://twc2.org.sg/2014/07/08/one-third-of-male-migrant-workers-dont-get-paid-what-theyre-due/>

## FFN Graduation Ceremony 2014

The Filipino Family Network has held its latest graduation ceremony for students who completed its courses in the past year. It took place on the afternoon of July 20<sup>th</sup> and not only graduates, but their friends and the FFN's guests came along.



*Ambassador Antonio A. Morales, TWC2 President Russell Heng, and graduates to whom they presented certificates.*

This year, 70 students graduated, compared to 55 last year. The programme included singing by FFN performers, a dance by Indonesian Family Network member, Nuridah Kevin and a Taekwondo display. Speakers included Antonio A. Morales, the newly arrived Philippines ambassador to Singapore and Ian Arcebal, Training and Microfinance Manager of ASKI Global Ltd, which has provided entrepreneurship courses that a number of FFN members have completed. Russell Heng, President of TWC2 and John Gee, Immediate Past President of TWC2, also spoke. All congratulated FFN and the graduates on their achievements.

Following a "catwalk parade" by women who took the cosmetology class, certificates were presented to the graduates of the arts and crafts, cosmetology and computer courses.

TWC2 supports the courses and makes its premises available for classes on Sundays. The FFN hopes to expand its courses next year, but both they and the Indonesian Family Network could do with more space and they would also like to hear from potential teachers who might assist them with their growth plans.



*Taekwondo demonstration at the FFN graduation by Acme Filodep Taekwondo Sg.*

## Ten Years On: What's Changed for Male Workers?

*On the society's tenth anniversary, the Newsletter asked Debbie Fordyce, Coordinator of The Cuff Road Project (TCRP), about changes for the better she's seen over the years for male workers:*

One thing I'm reminded of is the abysmal situation in 2008, when the project started, of hundreds of workers coming to us to say "no work, no pay" – meaning that they thought they'd got a job here that would earn them money to send home, but they found that the companies that brought them didn't put them to work and did not pay them because they weren't working. Those workers had paid hefty charges to come in the first place, and many of them told us that they were sure that part of that money went to their employers.

The case of Kamaluddin who died of chicken pox in the dorm belonging to Paul Lee in January 2009 highlighted the problem of dirty crowded dorms, but his death almost overshadowed the cruelty inflicted on all the workers who'd been held for over six months with no work and no salary. It wasn't only Gates Offshore and Paul Lee - he was eventually fined and given four weeks jail - but many others too.

Now the MOM is preventing this large-scale exploitation of upfront payments by investigating companies that routinely bring in workers and then return them home before it issues work permits, or return them after only a few months, or hold them without work. It's possible that MOM also checks that the company has received job orders before allocating the MYE (man year entitlement) that qualifies them to take on a certain number of workers, but I haven't looked into that part.

Changes to the IPA (In-Principle Approval) have put more emphasis on the amount of money to be paid as salary presented to MOM by the employer, but this is still not taken as a contractual agreement, and MOM doesn't enforce the amount shown. MOM is taking up more salary cases, but doesn't always explain how they arrive at the figure owed to the worker. And once the Labour Court Order is issued, MOM will not enforce the order, but leaves that to the worker, regardless of whether the company has the ability to pay.

So while things are better, there's still much that needs to be done. The Temporary Job Scheme system for men awaiting case settlement works fairly well and I know men who are pleased to be given that chance to work, but this system is just as the name says, temporary. When the investigation is over the man isn't allowed to continue, so it's not as satisfactory to the man as a change of employer. Changing an employer is a very awkward thing that generally requires men to pay kickbacks for a job, though that is meant to be illegal and so this is generally inaccessible to men unable to pay thousands to obtain the job. They shouldn't have to, of course: the practice is wrong and illegal, but it is widespread, and there are a lot of employers who will take on a new man who pays for his job rather than one who may have some experience and already be in Singapore, but who can't pay. MOM should certainly be able to resolve that issue.

A problem that we haven't taken up except for individuals is the denial of applications from men trying to return. We hear of men coming for the first time, the second or subsequent times, some of these after salary/injury issues, some with no issues, all of whom have an IPA denied and no reason is given. Often there's a malicious application which prevents the good application from coming through, but the men, and those of us here, have no way to deal with this.

### Events

**July 19<sup>th</sup>:** Ex-president of TWC2 John Gee spoke to a class of mature students at SIM University who were taking a community leadership course. He spoke about the general conditions in which migrant workers are employed and outlined some of the key problems they faced. He focussed on the issues of "security of presence" in Singapore and the burden of placement costs.

**July 20<sup>th</sup>:** The Filipino Family Network (FFN) held its graduation ceremony (See page three).

**August 7<sup>th</sup>:** "A Thousand and One Days: Stories of Hardship from South Asian Migrant Workers in Singapore" was launched at the Arts House. Eight migrant workers from South Asia write of their difficult experiences in Singapore and the book concludes with 12 points of advice. Some 120 people attended the launch, which no-one from the media attended, despite invitations being sent out. A review article will appear in the next newsletter. Copies will be available at the TWC2 office: donation of at least \$20 requested.

**August 23<sup>rd</sup>:** Next meeting of TWC2's Executive Committee, at the TWC2 office at 2.30pm. As usual, members of TWC2 are welcome to come along.

## Despite 'Caps', Domestic Workers Still Charged High Placement Fees

Under Singapore's Employment Agencies Act, local employment agencies are only permitted to charge placement fees of up to one month of the worker's salary for each year of service up to a maximum of two years (equal to two months' salary deduction for a two-year contract). This cap was introduced in 2011, and according to Senior Parliamentary Secretary of the Ministry of Manpower Hawazi Daipi, Singapore's government believes that most local agencies adhere to this rule and are not charging excessive placement fees to foreign domestic workers, reports *Channel NewsAsia* (5<sup>th</sup> August 2014).

The two-month deduction cap, however, contains a problematic loophole: it does not include fees charged by overseas recruitment agencies, costs of training and medical check-ups overseas, or any travel expenses for the journey to Singapore. As a result, domestic workers often pay a "placement fee" which is much higher than the stated deduction cap, receiving no pay (or a mere S\$10-20/month) for up to eight months. Because employers are not required to pay the overseas recruitment agency's placement fees and other fees either in part or in full, there is very little incentive to keep these charges low.

### ***The Placement Fee***

In order to get an idea of how much domestic workers are charged, in total, for placement costs, I first spoke with thirty domestic workers who had their Sundays off (23 Filipinos, seven Indonesians) about the fees they had paid to their agencies in the form of salary deductions. Three of the domestic workers claimed not to have had any deductions, and one Indonesian worker had only paid four months of deductions, but the rest of the domestic workers were not paid, or they were given only a small (S\$10-20) stipend for their first 6-9 months of employment, excluding transfer fees.

Because only four of the workers I talked to had come to Singapore after 2011 (on average, the domestic workers had first arrived in Singapore nine years ago), it was impossible to ascertain from the information gathered the effects of the fee caps implemented in April 2011 and the recent pledges from the Philippine government to step up their enforcement of the POEA contract—which prohibits agencies from collecting *any* fees from domestic workers.

On the whole, I didn't see a significant difference between what domestic workers were paying ten years ago and what they are paying now (about 6-7 months for Filipinos, and 6-8 months for Indonesians). So in order to better assess agencies' placement fees, I decided to get the information straight from the employment agencies. I obtained information about agency fees and placement "loans" from 20 domestic worker agencies—two in City Plaza, two in Lucky Plaza, two in Coronation plaza, and fourteen in Bukit Timah and Beauty World Plazas. Typically, I'd walk into the agency, sit down in front of a representative, ask for the agency fee for a "fresh maid" of a particular nationality, inquire about what the agency fee covered and whether "maid exchanges" were permitted, and then—once I thought the representative believed I was interested in hiring a domestic worker—ask how much the loan, which is paid up-front by the employer, would cost. If I felt that I had established decent rapport with the representative, I would ask about other nationalities. If not, I would thank the representative, explain that I was looking at prices and figures given by all the various agencies in the plaza, and then leave.

In general, Filipina domestic workers' fees quoted ranged from \$1500-\$3500. Of the eighteen agencies that gave me information about Filipina domestic workers, only **one** agency told me there was no loan for Filipina domestic workers, meaning that the POEA contract signed by all domestic workers who legally exit the Philippines—which stipulates no wage deductions—was followed in their case. Two agencies told me deductions would be two months, and three agencies told me deductions would be three months/\$1500; these figures are plausible under the assumption that the POEA contract is followed in the Philippines, and thus Philippine recruiters do not collect placement fees from the domestic workers, but the POEA contract is substituted and Singapore law is followed in Singapore, so that Singapore placement agencies collect only two months' salary deductions from domestic workers. The third month's deduction could potentially be attributed to airfare or other costs, although I doubt this would add up to an entire month. The remaining 12 of 18 agencies told me that salary deductions would be 4-7 months (overall median for Filipina domestic workers: six), meaning that the overseas recruitment agency and/or the Singapore employment agency were charging an illegal amount to the domestic worker.

Of the seven agencies I talked to about Indonesian domestic workers' loans, one gave me a figure of three months, two said 6-7 months (~\$3000), and the remaining four told me eight months. I only spoke with four agencies about Myanmar domestic workers' loans, and all of them gave me figures between six and seven months (~\$2500-2800).

### ***Lack of Transparency***

I actually visited more than twenty agencies; however, the first few agencies were not receptive to my questions. At one agency, the representative asked if I was an employer. When I responded to that in the negative, the agency representative shooed me out of the office, saying "We only talk to employer." The agencies were (unsurprisingly) opaque about where the fees were going, and the four agencies that did give me a price breakdown worksheet did not provide any information about where the "placement fee" paid by the domestic worker would go. One of the agencies that claimed three months deduction fees for

the domestic worker listed that the employer paid a \$500 “overseas supplier fee” as well as the airticket/transportation fees. So where was the \$1500 charged to the domestic worker going?

I also noticed a general lack of respect for the domestic workers. Although MOM found that there were no “inappropriate displays of maids,” at all of the locations I visited, there were multiple agencies where the domestic workers were seated in a row by the window, as if on display. At one location, the sales representative would not let me pull out or push in my own chair, and she ordered one of the domestic workers to do it instead. I’m not sure what the purpose of this display was; as far as I am aware, housekeeping work does not involve pulling out chairs for employers (as if I were royalty!), so there’s no way the agency could pass that off as “training,” and I am certain the domestic worker wasn’t being paid to work in the shop! At a different agency, the representative spoke about their partnership with the recruitment agency in terms of “buying the maid.” Agencies hid information from the domestic workers; one agency representative asked me (in Mandarin) if I spoke Chinese, and when I responded that I did, a little, she explained that she would brief me in Mandarin so that the domestic workers wouldn’t be able to understand her. Another agency handed me a letter—rather than telling me in front of the domestic workers—stating that the Philippines government intended to strictly enforce its POEA contract which prohibited collecting fees from domestic workers, but “we will honor our current agreement with you until it is subjected to force majeure action if POEA succeeded in enforcing their contract” and “if this event occurs, we estimate a sum of up to S\$1500 will be transferred to you in order to secure the worker’s arrival.”

In any case, it appears the Singapore legal regulations limiting agency fees to two months are not very effective in lowering placement costs for the domestic workers. In general, the Filipina domestic workers pay fewer deductions now than before, but this appears to be a result of the Philippines government’s stricter protocols and enforcement of the POEA contract. However, some Filipina workers and other nationalities of domestic workers appear to have had loans for just as long as they did ten years ago.

If it is, in fact, impossible to eliminate domestic workers’ loans altogether, perhaps a better solution would be to regulate a strict proportion of total agency fees to be paid by the employer and the domestic worker. This would be beneficial in at least two ways. First, the total agency fees would likely be lower as there is more pressure for recruitment agencies to offer competitive rates. Second, the domestic worker would likely have a higher morale if she did not spend such a long period of time receiving deductions.

**Nissa Mai**

*(Nissa is currently interning with TWC2, focussing on domestic worker –related questions)*

## In Brief

### How Many Migrant Workers in Singapore?

In a written reply of 5<sup>th</sup> August to Nominated Member of Parliament, Mary Liew, Minister of Manpower Tan Chuan-jin informed her that there are 1.32 million foreign workers in Singapore. He said that the bulk of them are employed in the construction and marine sectors. Mary Liew NMP had also requested a breakdown of the nationalities of the workers, but was informed that this is “not publicly available”.

### Worksite Safety Action

The Ministry of Manpower recently undertook a month-long campaign of surprise checks at worksites to check on the observation of safety rules. During the campaign, conducted in June-July, 250 sites were inspected and 353 safety violations were discovered. Action was taken against 174 companies and four stop-work orders were issued. The checks were aimed at dealing with lapses in safety measures while working at heights. *(Janice Heng, “174 firms hauled up for safety breaches”, Straits Times, 7<sup>th</sup> August 2014)*

TWC2 views unannounced inspections as an important part of the effort to reduce industrial accident rates. It is also important that workers should feel confident that they can speak up against unsafe conditions without threats or intimidation by employers or on-site staff. In other countries, active trade union safety officers have played a vital role in curbing safety violations. The backing of their union gives them a protection against victimisation that other workers generally lack.

### Brazil: Seven Million Domestic Workers Rights Affirmed

Brazil employs more domestic workers than any other country in the world – seven million in all. A constitutional amendment has extended protections to them from which they were previously excluded. They are now entitled to an eight-hour working day and a 44-hour working week, a lunch break, and severance pay and social security if they lose their jobs. Brazil has not so far ratified C189, the Domestic Workers Convention, though Latin America has the highest rate of ratification among the world’s regions; perhaps this will be the next step.

### *Exploring The Modus Operandi of Unscrupulous Foreign Domestic Worker Employment Agencies*

*This article provides a brief overview of “License to Exploit” a study conducted to find out more about the troubling recruitment practices and problems faced by Filipino domestic workers employed in Hong Kong. It also explores similarities in the plight of foreign domestic workers employed in Singapore and takes a look at what lessons Singapore can learn from the research findings.*

#### **Overview of the report’s findings**

The Alliance of Progressive Labour (APL) and Progressive Union of Domestic Workers in Hong Kong (PLU-APL) have released a report based on research gathered from over 1,500 Filipino domestic workers in Hong Kong. The report is part of their first phase of looking into recruitment practices and problems facing Filipino domestic workers in Hong Kong.

Compared to a lot of other countries, Hong Kong has enacted many laws meant to protect the rights of foreign domestic workers (FDW). The following is a list of some of the laws in place in Hong Kong regarding FDWs:

- Recruiters should not collect a commission exceeding 10% of the first month’s wage. This commission should also not be taken from the jobseeker in advance.
- A minimum allowable wage (MAW) is currently set at HK \$3,920. However, only contracts signed after September 2012 need to adhere to this MAW.
- Foreign domestic workers in Hong Kong are to be allowed at least 24 consecutive hours off a week. They should also have off twelve mandated statutory holidays.

In the Philippines, there are also laws that are in place that are supposed to aid job seekers going abroad to look for work as domestic helpers.

For example, the Philippines Overseas Employment Administration (POEA), the government body tasked with regulating recruitment agencies, requires that the prospective employee should pay **no** placement fees.

When it comes to the recruitment and placement of foreign domestic workers in Hong Kong, agencies from both the Philippines and Hong Kong may be used.

Unfortunately, this means that rules regarding a single matter may differ between the two territories.

The laws concerning placement fees are a case in point. POEA states that foreign domestic workers should not be charged a placement fee at all. However, Hong Kong’s law on placement fees allows up to 10% of the foreign domestic worker’s first month’s pay to be collected by agencies as commission.

While confusion is likely to arise from separate rulings like these, the more troubling fact is that this particular study found that recruitment agencies often do not adhere to laws set by either country.

Researchers found that the average agency in Hong Kong charges more than 20 times the 10% limit while agencies in the Philippines charge 36 times the 10% limit set by Hong Kong. This is a clear violation of **both** Hong Kong’s 10% limit and Philippine’s zero placement fee policy.

Another law that is commonly flouted is the minimum allowable wage (MAW) ruling. 14% of respondents reported being told by both Hong Kong and Philippines agencies to accept wages lower than the MAW set by the Hong Kong government.

A common practice that was uncovered during the study was the making of ‘agency charges’. These suspicious fees are often an agency’s way of creating and inflating the cost of expense items charged to the foreign domestic worker.

Researchers found that expenses for certain items were obviously padded and that many respondents found that these expenses were not supported by official documents. For example, some domestic workers were charged anywhere between PHP 7,000 – PHP 40,000 (Approximately SGD \$200 - \$1100) for Technical Education and Skills Development Authority (TESDA) training.

While this writer was not able to find out the exact cost of TESDA training for household service workers, considering that the TESDA certificate is not a requirement to take the Competency Assessment and that taking the Competency Assessment only costs PHP 1000, an educated guess would be that the fees agencies are charging under the guise of TESDA training are grossly inflated.<sup>1</sup>

This sly reshuffling of charges allows agencies to earn more money from foreign domestic workers.

The study reports that on average, a foreign domestic worker looking for a job in Hong Kong can expect to shell out a total recruitment cost of PHP 80,736 (HK \$15,378). This would work out to be roughly four months worth of full wages.

The ties of debt arising from such a high level of costs in obtaining a job is very worrying. With such a large amount of debt, foreign domestic workers will often find themselves struggling to make ends meet.

Forcing foreign domestic workers into such big obligations benefits neither the employer nor the employee. Employees are likely to feel unmotivated and the constant stress about raising the money as well as supporting family members back home often takes a toll on the worker's mental state.

In this situation, only one group of people win - the employment agencies.

Apart from these questionable recruitment practices that enable debt bondage, the report also showed that agencies (both in Hong Kong and Philippines) gave out outdated or withheld information on Hong Kong Laws, working conditions, redress channels and support groups. Workers were also told that they would not get certain foreign domestic workers benefits such as days off and statutory holidays.

Domestic workers reported having personal documents such as their passports, identification cards and papers and bankbooks retained by agencies. Under Hong Kong and Philippines law the act of retaining an individual's passport is illegal.

### ***How does this apply to Singapore?***

From this research, it is obvious that there is a large disparity between what the rules are and what is actually happening on the ground in Hong Kong and the Philippines. As this study concentrated on Filipino domestic workers employed in Hong Kong, it is easy for us to assume that things are better in Singapore.

Unfortunately, this does not seem to be the case. Even in Singapore, enforcement seems to struggle to catch up with the laws put in place to protect the rights of foreign domestic workers.

Current laws in Singapore allow Singaporean agencies to charge placement fees of up to two months of the domestic worker's salary. However, it was reported in July this year that foreign domestic workers find themselves having to pay agents an average of SGD \$1,600. Some domestic workers even report having to pay agencies as much as SGD \$4,000<sup>2</sup>.

Considering that the average salary of a foreign domestic worker in Singapore ranges from \$400-\$500 a month, this would definitely be above the two month salary cap. Even if the total payment included various expenses and charges, it would still seem to be a vastly inflated amount to be paying an agency.

As in Hong Kong, having to pay such large amounts to agencies means that foreign domestic workers in Singapore may have to go as long as eight months to a year before they are debt-free and can actually start earning money to use as they choose.

### ***Laws versus Action – What Now?***

As the passing of laws often represents the first step of the Government taking notice of an issue and agreeing to make changes to improve the situation, it would be shortsighted to dismiss passing laws as useless.

However, in order for any change to be enacted, it is absolutely necessary for these laws to be followed up by the enforcement of penalties for non-compliance.

If many employment agencies are allowed to continue flouting laws without any negative repercussions, they will only grow bolder and the laws will quickly become irrelevant.



The magnitude of the problem of errant recruitment agencies becomes more obvious when one thinks about the number of foreign domestic workers that rely on them to get jobs abroad. While there are no specific numbers available regarding the number of foreign domestic workers that use agencies to get placements in Singapore, the Hong Kong study found that a whopping 88% of foreign domestic workers relied on agencies to get their jobs.

As it is common knowledge that most foreign domestic workers rely on agencies to get jobs in Singapore, it is not hard to imagine that the percentages would be similar to that of Hong Kong.

With such a large majority of foreign domestic workers using recruitment agencies, it seems only practical that governments should be more stringent about their practices.

“License to Exploit” lists a number of key recommendations that could also be applicable to Singapore and would be worth exploring. These recommendations include:

- Limits on fees and charges should not only be continued but should also be strengthened to disallow ambiguity. These limits should also be strictly enforced.
- Errant agencies should incur strict penalties that can include fines, blacklisting and cancellation of licenses.
- In order to curb the inflation and padding of other expenses charged to the foreign domestic worker, the cap on fees charged should be defined as a total amount paid instead of on just the 'placement fee'.
- The creation and upkeep of an easily accessible list of agencies that have broken laws. This same list would also be used to highlight agencies that comply with laws and set a good example.

The up-keep of a list like this would also require that the validity of claims against agencies must be investigated thoroughly.

- Further development of various other direct channels for employment. In this instance, “direct channels” does not refer to job seekers and prospective employers taking responsibility for the process. Instead, direct hiring refers to providing job seekers access to official government approved channels that can help them process and verify work, government and travel requirements. Job seekers in other fields have access to this when looking for work abroad and this should also be available for prospective foreign domestic workers.
- The adoption of international standards when it comes to the treatment of domestic workers. This will minimize confusion and will also allow countries to band together to tackle legal and enforcement issues more effectively.

When it comes to the regulation of the practices of recruitment agencies, Singapore still has a long way to go.

As we continue to work together to get the Singapore Government to grant more protection to the rights of foreign domestic workers on our shores, let us remember that while it is great that better laws are created, the only way to prevent regulations from becoming mere lip service is by constantly pushing to ensure that they are also properly enforced.

**Nicolette Stewart**

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2: *Tan, A. (2014, July 07). Maids bear the brunt of slashed fees for employers in Singapore. Retrieved from <http://www.asianewsnet.net/Maids-bear-the-brunt-of-slashed-fees-for-employers-62027.html>*

# Qatar, Singapore and Migrant Workers

Since its bid to host the 2022 World Cup succeeded, Qatar's treatment of migrant workers, particularly in the construction sector, has come under the international spotlight. London law firm, DLA Piper, was commissioned by Qatar's government to review the state's legislative and enforcement framework, and it produced a 140 page report containing its recommendations.

So how does Singapore compare? The chart below draws heavily on the summary of the report on Qatar by Owen Gibson in "The Guardian Weekly", 23<sup>rd</sup> May 2014

(The summary of the DLA Piper report draws heavily on that by Owen Gibson in "The Guardian Weekly", 23<sup>rd</sup> May 2014)

<b>Recommendations for Qatar</b>	<b>Singapore's Position</b>
<p><b>Recruitment:</b> Strengthen and enforce laws aimed at preventing recruitment agencies from charging fees to workers. Adopt streamlined systems for workers to seek redress for mistreatment and for blacklisting unethical agencies.</p>	<p>Cap on fees paid by domestic workers of one month's salary for each year of a placement to a maximum of two years.</p> <p>Agencies can have their licenses withdrawn for breaches of the regulatory framework.</p>
<p><b>Sponsorship System:</b> Conduct a "wide-ranging and comprehensive review" of the kafala (sponsorship) system, which ties workers to specific employers. Minimum goal: to abolish or phase out parts of the present system, so that workers have freedom of movement and are better able to assert their rights. Passport confiscation by employers is already illegal, but the law needs much better enforcement.</p>	<p>Workers are tied to their employers by the current work permit system.</p> <p>Seizure or retention of passports is illegal under the Passport Act, but is very common, and the law is hardly ever enforced.</p>
<p><b>Contracts:</b> All contracts issued by public authorities should by law include stipulations for workers' welfare. Main contractors should be made responsible for compliance with contract terms.</p>	<p>Robust labour standards do not form part of the requirements for companies seeking to secure government contracts.</p>
<p><b>Wages:</b> Consider a minimum wage. Employers who fail to pay salaries on time to be disqualified from sponsoring workers. Wages to be paid electronically into bank accounts (Qatar has implemented this).</p>	<p>There is no minimum wage. Employers are obliged to pay workers within seven days of each (normally monthly) working period and can be penalised for failing to do so. However, cases of non-payment for weeks or months occur regularly, and existing penalties may not be a sufficient deterrent. In settling such cases, employers frequently get away with only paying part of what they owe their workers.</p> <p>As yet, salaries don't have to be paid electronically.</p>
<p><b>Health and Safety:</b> Most urgent issue. Blacklist contractors who breach safety standards; introduce stronger criminal sanctions; main contractors and sub-contractors should be jointly liable.</p> <p>In view of the large number of heart attacks recorded among migrant workers, an independent study should be made of all cardiac arrests in the past three years. Unexpected or sudden deaths to be investigated.</p>	<p>Singapore has relatively strong safety regulations and a far better safety record than Qatar. Nevertheless, enhanced safety inspections and stricter enforcement of limits on working hours could improve standards.</p> <p>Heart attacks among workers have not been noted as a particular problem in Singapore.</p>
<p><b>Accommodation:</b> There should be a mandatory induction for new employees and a welfare officer on all sites.</p>	<p>Standards for most workers have improved significantly over the past decade, but a substantial minority of male workers still live in poor conditions. It is not obvious that the kind of solutions proposed for Qatar would have much application to Singapore.</p>
<p><b>Inspections:</b> Enhanced training and powers for inspectors, more translators and greater transparency.</p>	<p>Probably more frequent unannounced inspections, plus on-site union safety officers are what Singapore needs.</p>
<p><b>Freedom of Association:</b> Ministry of labour called upon to publish proposals allowing workers freedom of association and representation.</p>	<p>Migrant workers are allowed to join existing unions, but cannot be elected to posts within them and would probably not be allowed to establish their own unions.</p>

**Access to Justice:** Abolish fees for complainants, introduce fast tracking of certain complaints.

Workers can lodge complaints with the Ministry of Manpower and pursue them without paying a fee. Case resolution time has improved, but can still drag on.

*In summary, conditions in Singapore generally compare favourably with those in Qatar, but if Qatar implements the DLA Piper proposals, that would no longer be true. In any case, there's plenty of scope for improvement.*

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