



Transient Workers Count Too
DIGNITY OVERDUE

NEWSLETTER

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DAY OFF
FOR ALL

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What's in a Name?

It seems as though the term "domestic helper" is coming into wider use as an alternative to "maid" or "domestic worker". Clearly, a lot of people feel comfortable with it, but is it an accurate term? Does it do justice to those it describes?

Doesn't a helper assist someone else who takes on most of the work themselves? That does not seem like an accurate description of what goes on in most places where domestic workers are employed. They do the great majority of the housework in these residences, and, in some households, all of it.

In addition, "helper" makes it sound as if a domestic worker is performing a charitable act. She's not: she's doing a job in order to earn money to support her family and, if all turns out well, to make a better life for herself.

When TWC2 was founded, we encouraged the use of the term "domestic worker" in preference to "maid" because we believed that it gave due recognition to what these women were doing. We think that they must be considered to be workers who perform their trade in the environment of other people's homes. Both the terms "maid" and "helper" take no account of that. They tend to support the treatment of domestic work as somehow not being "real" work, and hence, undeserving of the kind of recognition, protections and pay that are due to those who labour in factories, building sites, shops, offices or restaurants.

The terms used of people do matter. They can both reflect an outlook and reinforce it. When some employers casually refer to "maids and their owners", for example, it speaks volumes about the assumptions they make about their rights over their employees, but it also reinforces those assumptions in the minds of some of those around them, who may share their basic perspective.

Using a term like "domestic worker" doesn't, of itself, make the conditions of these workers' employment one little bit better, but what it does do is encourage an outlook among employers and in society at large that is more conducive to ensuring that, in the long run, their treatment and conditions do improve.

All those who work honestly for a living deserve to be respected, no matter who they are or where they work. We value clean and well-maintained homes, and want our children and elderly to be properly looked after. If this is really worth a lot to us, we should signal it by how we talk about those who undertake this work, and how we treat them.

Next Volunteer Session

The next "Heartbeat", our monthly gathering for people interested in volunteering with TWC2, takes place on Tuesday, 8th November 2016, 7.30pm to 9.30pm at 1C, 01-02 Rowell Road (Above Isthana Restaurant)

IMD/Fundraiser

Our annual International Migrants Day/Fundraiser will be held on Sunday, 4th December this year. For more information, see P.2. and look at the TWC2 website over the coming weeks.

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Events

31st August: John Gee, chair of TWC2's research sub-committee, was one of the panelists at the Commentary and Appreciation held at the National University of Singapore Society Guild House.

23rd September: Alex Au, head of TWC2's web communications, was a speaker at the Asia Journalism Foundation Conference. Its theme this year was "Reporting Inequality".

21st October: "The Cost of Care", this year's flagship public event of the Asia Research Institute of the National University of Singapore, posed the question, "How do migrant domestic workers and employment agents factor into Singapore's long-term care provision for families?" The keynote speaker was K. Jayaprema, President of the Association of Employment Agencies (Singapore). Her talk was followed by a panel discussion moderated by Professor Brenda S. A. Yeoh, with the participation of Kevin Teo, Co-founder of Anisya, Yorelle Kalika, Founder and CEO of Active Global Specialised Caregivers, Mark Chin, Director, Sales & Marketing, of Homekeeper and Kellynn Wee, of the Asia Research Institute. The range of participants illustrated a broadening of options for both domestic workers and employers that could promote better matching and reduce recruitment costs.

Forthcoming Event



@ The Movie

Day & Date: Sunday, 4th December 2016

Time: 12pm to 4.30pm

Venue: Green Room @ The Projector, 6001 Beach Road, Golden Mile Tower, #05-00, Singapore 199589

It's a day to treat a needy foreign worker to a movie, lunch, games and prizes.

Tickets are priced at \$80/- each.

For more details, check out our website at www.twc2.org.sg or facebook.

Your Used 'Phone Could Help a Worker

Just like the great majority of other people in Singapore, migrant workers are big mobile 'phone users, but there are differences too: they are unable to return to their families at the end of a working day, so this is their main means of communicating with family members over months and years away from their homes. Being able to talk with friends on a 'phone may help a worker to cope with worries and trying times at work and a 'phone is invaluable when an accident takes place and it is necessary to call for help.

Technologies change, and that can be a problem for those who get left behind. Many workers still use 2G 'phones, but they are due to be phased out by April 2017. Those in work may sigh at having to fork out for a replacement 'phone, but they can at least manage it. There are some workers who can't. TWC2 assists many workers who have been injured or are waiting for a case to be settled and who don't have the money to buy a new 'phone.

So that's why, at the beginning of September, TWC2 put out an appeal for people who have old 3G 'phones that they don't want any more to donate them, along with their chargers, for workers to use. For those who want to support this initiative, but who don't have an old 'phone to donate, they could give money so that TWC2 can buy old phones to distribute: they cost \$30-50.

TWC2 Treasurer, Alex Au, told the newsletter:

The target has been to get about 200 phones. We came to this figure because at any given time we'd have about 1,000 cases running, and our very rough estimate is that about 20% of the workers we see still have 2G phones. When the signals are cut off next year, we'd have to have a way to help these workers.

To date, we have received 20 phones with ten more promised by a donor (from a church) this week. This total is a little disappointing, but it appears that people have a fear that their data would be at risk. Actually, there will be no risk, because the first thing we do on receipt of a donated phone, after checking that it can charge up, is to do a Factory Reset.

More encouragingly, people have responded well to the cash option. We set a target of \$10,000, and we're past \$6,000 now.

www.twc2.org.sg/3G is the main page for this campaign. It tells you how to send in a phone, and how to donate cash if that is what the donor prefers.

Research has been an integral part of TWC2's work since the society started. It can help to inform public discussion by providing more reliable and up to date information than previously existed, advance new ideas and also underpin advocacy work. TWC2 is involved in research through three main avenues:

- a). *The Research Sub-Committee, which has handled a series of major projects and is currently focused on research into recruitment costs for migrant workers and how they can be reduced.*
- b). *Research linked directly to regular activity that brings us into contact with workers and is very focused, which has included projects on the living conditions of male workers awaiting case settlement (handled in association with The Cuff Road Project food programme) and on accommodation conditions for domestic workers (undertaken through outreach work).*
- c). *Co-operating with others or contributing to their research.*

Our research work relies almost entirely on volunteers, some long term, some of whom may just work on one project. We're looking for people who are interested, willing to make a commitment and work fairly autonomously when need be.

Our regular research meetings moved to a new format in April, with presentations on research (mostly work in progress, but including completed research) forming the main content of each one. The research forums to date have been on recruitment costs and attempts to regulate them in Indonesia and the Philippines (April 28th), Malaysia and Bangladesh (May 26th), China and Macau (June 23rd), Taiwan (September 22nd), policy change in Singapore on a day off for domestic workers (June 23rd), migration industry in Singapore (August 18th) and initial findings of research on Singapore's Labour Court (October 20th).

“Diluted Justice”: New Research Report on Trafficking into Fishing Industry

Released on October 21st, this research focuses on trafficking of fishermen into hyper-exploitative working situations on Taiwanese fishing vessels. This involved the collusion of Singaporean, Taiwanese, Filipino, Cambodian and Indonesian individuals and entities. The report is based on interviews conducted with fishermen victims, some of whom were also witnesses in criminal justice proceedings and plaintiffs in civil compensation cases, their family members and key informants from non-governmental organisations and international organisations in Singapore, Cambodia, the Philippines and Indonesia. In addition, documentary evidence shared by interviewees was produced to support the key arguments. News reports on recent high profile cases of trafficked fishermen were also cited to corroborate findings.

“The findings of this research confirm that despite recent sustained international attention to human trafficking and modern day slavery, there's still much to be done to address the human tragedy of exploitation without redress experienced by trafficked fishermen whose lives if not broken are irreparably damaged in emotional, financial, relational and health terms as a result of their experience at sea,” said Dr Sallie Yea, the principal researcher of the report.

“The report provides detailed insights on what trafficked fishermen from impoverished communities in the region have had to go through after exiting trafficked situations. Singapore is a significant transit point for fishermen and port of call for fishing vessels. The evidence presented also points to Singapore-registered companies and Singapore actors performing an active role in recruiting and deploying trafficked fishermen in the two known cases involving Cambodian and Filipino fishers. We urge the Singapore government as well as the governments of jurisdictions from where other actors involved in the crimes of trafficking come to resist deflecting responsibility, remove institutional barriers, step up measures and abide by the guidelines and minimum standards set out by the UN Anti-Trafficking Protocol to punish those who are guilty of trafficking, protect victims and eradicate trafficking from the global supply chain of seafood ”, said Ms Shelley Thio, TWC2 Executive Committee and Senior Case Volunteer who has helped trafficked fishermen and their families and who contributed to the report.

This joint research report by Dr Sallie Yea and Transient Workers Count Too (TWC2) reveals that trafficked fishermen seeking access to legal and economic justice and protection face insurmountable barriers caused by the following factors:

- Significant gaps in measures for victim identification,
- A lack of coordinated support for the psycho-social needs and well-being of trafficked fishermen upon exiting the trafficked situation and during criminal justice proceedings,
- A lack of political will of authorities from different jurisdictions to help secure documentary evidence and extradite witnesses hampering successful prosecution,
- A lack of political will of concerned authorities to be pro-active in investigating named suspects involved in trafficking networks,
- The tendency for concerned authorities to cite jurisdictional loopholes thus deflecting responsibility over investigating trafficking crimes and prosecuting alleged criminals.

The full report can be accessed via:

<http://twc2.org.sg/2016/10/21/diluted-justice-protection-and-redress-for-trafficked-fishermen-in-asia/>

(The summary above is drawn from the above website item; to date the report has not been reported in the Singapore media)

Three New Recruitment Costs Reports Available

The three latest reports in our recruitment costs series are available on the TWC2 website. They are on the **Philippines**, **Indonesia** and **China**. They can be found and downloaded via: <http://twc2.org.sg/2016/06/01/research-series-recruitment-costs/> The other reports currently available are on Hong Kong, Macau, Qatar and Taiwan.

Iloilo: Life After Singapore

*After years of working abroad, what do migrant workers have to show for it? That depends. **Mayu Matsuo** spoke to women in the Philippines who set out to earn a living in the land of their birth after being domestic workers in Singapore.*

Iloilo: It is a province located in the region of Western Visayas in the Philippines, and also reminds us of a 2013 Cannes Film Festival award-winning Singaporean film by Anthony Chen. Chen found his former nanny, "Auntie Terry", living in poverty in Iloilo. During my trip to Iloilo at the end of September, 2016, some returned Filipino domestic workers who used to work in Singapore faced a similar situation. However, I also met those who lived quite differently from the Auntie Terry.

Mary*, a 48-year-old former worker in Singapore, opened a bakery at her village in 2014. The bakery was near a high school, where the tantalizing smell of doughnuts attracted a lot of students. She started the business with 5 kg of bread daily. The business had prospered and came to bake 40 kg of bread every day. She is now in Iloilo for good, but opened the business while still working in Singapore. What motivated her to invest in her own business?

I participated in financial literacy education for OFWs (Overseas Filipino Workers) in Singapore. The programme helps us prepare to go home with enough savings.

The programme Mary joined provides not only financial education but also mobilizes OFWs in investment. The programme consists of five levels and Filipino domestic workers take courses from level 1 to level 3 in Singapore and level 4 and 5 in the Philippines. I joined the level 2 class in Singapore and interviewed Ms. Chona M. Mantilla, Director of National Reintegration Center for OFWs (NRCO), Department of Labor and Employment in Manila, to investigate training from level 4 and level 5. The local government agencies in the Philippines such as Technical Education and Skills Development Authority (TESDA), Overseas Workers Welfare Administration (OWWA) and NRCO cooperate in providing skills training to returned OFWs.

Courses in Singapore are held on Sundays when most Filipina domestic workers have days off. Participants learn how to track expenses and to save money for investment and retirement in the Philippines. These trainings are also available in the Philippines. One of them from NRCO is the Livelihood Program, which aims to provide OFW returnees with starter kits worth 10,000 peso to be used to establish a livelihood business. Before applying for the programme, the returnees need to go through one day of activity which aims to equip participants in how to establish a business and how to handle finances responsibly. Ms. Mantilla said:

We provide start kits, which are materials and equipment depending on the applied project proposal of each beneficiary. If we give them cash, they might use it for other purposes.

For example, the NRCO provided items to be sold for a returnee who wanted to open a sari-sari store (convenience store) in the Philippines. Among the programme beneficiaries from 2011-2013, 58 out of 101 of those contacted were able to sustain their business up to 2014 when the NRCO survey was conducted. Their monitoring results also showed that the most common reason for failure of the beneficiaries was using the grant to a different purpose.

Some of them used the capital for their business for other purposes such as paying medical fees and debts. A lot of them cannot afford medical expenses of their family.

Family support is crucial to sustain business. Mary's mother and sister were managing Mary's bakery when she was in Singapore. Mary called them twice a day in the morning and the afternoon, which allowed her to track the business from far away. Without support from her family, Alma*, who opened an Internet café in her hometown in Iloilo a few years ago while working in Singapore, had to close the business. She reflected on the experience and said:

I didn't have enough knowledge and ideas. My kids were still studying and too young to look after the business. My sister looked after the café and I asked its sales every day. She misunderstood...she thought I was looking for money and did not trust her.

Alma's sister came to be distrustful of Alma and the business, which went well at the beginning, quickly dropped off and failed in the end. After this experience, Alma attended financial literacy programmes in Singapore. These programmes helped her to realize how she could have done differently to manage the business.

For example, I could have calculated its daily sales by counting how many people use each computer.

Angie* worked as a domestic worker in Singapore from 2001 to 2010 and in Hong Kong from 2014 to June, 2016. During her stay in Singapore, she attended basic entrepreneurship class for two months and started a sari-sari store as well as an eatery. On top of them, she breeds pigs to earn her living.

Time management is the most useful skill from the two-months training.

She has to handle the three businesses every day. How to manage them is essential for her to sustain the business. Taking the entrepreneurship training in Singapore was not easy for her. Her employers sometimes wanted her to work on Sundays and thus were reluctant to let her take classes on her off days.

I had to ask permission from my employers every time to go to classes.

Despite some difficulties, she was able to finish the course and kept the certificate of completion with care at her house as well as recommendation letters from her former employers. She is planning to go back to work abroad as a domestic worker again if her business cannot make stable earnings.

Being an entrepreneur is not only an option to stay in Iloilo. Jocelyn* decided to marry a retired British man when she was back to her hometown for holidays in 2011. She said:

I was about to go back to Singapore for work, when my husband told me that I didn't need to. After saying so, he went back to the U.K. and sent money to us.

Her husband came to her village to find a place for his retirement. Fresh air in her village was appealing for him to spend the rest of his life. They have a two-year-old girl and a two-month-old boy and the husband's pension supports the whole family.

These are just a few stories the wonderful ladies in Iloilo who have worked as helpers in Singapore shared with me. Iloilo – It means various or diverse in Japanese, the language I am most familiar with. The returned domestic workers in Iloilo were pursuing diverse ways of life.

*pseudonym

In Brief

Jamaica Signs DW Convention: On 11th October 2016, Jamaica ratified C189, the International Labour Organisation's convention on domestic workers. It will enter into force in Jamaica in October 2017. It is has been over a year since any other country ratified the convention: perhaps the Jamaican move will help to give a renewed push to getting it accepted globally.

Passport Retention: A recent bilateral labour agreement between Saudi Arabia and Sri Lanka includes an agreement that Sri Lankan migrant workers coming to the kingdom have the right to retain their travel documents at all times.

Most Odd: A psychiatrist appearing for the defence in the trial of an employer accused of starving her domestic worker attributed her behaviour to an obsessive-compulsive disorder linked to cleanliness. Dr Munidasa Winslow said that housewife Chong Sui Foon's obsession with cleanliness drove her to insist on her worker only having two meals a day, so that she had more time to clean the house, and also to prescribe the food that she was allowed to eat, as she chose food that *"is not dirty or (brought) germs into the house."* (Valerie Koh, *"Woman's OCD led her to starve maid: Psychiatrist"*, Today, 6th October 2016). In 15 months, the Filipina domestic worker's weight fell from 49kg to 25kg as a result. Despite this reported insistence on cleanliness, Chong reportedly only allowed her worker to bathe once or twice a week.

Is it a commentary on how reliant on domestic workers parts of Singapore society have become that, in other parts of the world, people suffering from an OCD linked to cleanliness repeatedly clean their homes and everything in them themselves, but in Singapore, an employer is said to have expressed her OCD by making someone else do the cleaning?

The WICA System –Exploring the Burden of Proof and Who Bears It

“Why didn’t they say something? Or report it to the Ministry of Manpower sooner?” Some of us may have come across this question or general sentiment when talking to people about migrant workers who suffer under the hand of errant employers.

The answer is not a simple one. Migrant workers face many issues when it comes to workplace injuries and salary disputes. For the purpose of this article, we will be focusing on injury claims that go through the Ministry of Manpower’s Work Injury Compensation Act (WICA) system.

WICA is a “no fault” scheme that, in principle, should help injured workers to file their claims without involving the legal system. The involvement of the Ministry of Manpower (MOM) is also supposed to help move cases along quicker and at a lower cost.

In principle, WICA has its merits. When all parties comply and have their paperwork in order, it cuts out costly middlemen and lawyers who end up taking a cut of any compensation granted in a legal case. These characters also often do nothing to speed up progress and in some cases prolong proceedings by sitting on paperwork.

In fact when it comes to WICA, volunteers at TWC2 would often much rather workers use it than hire a lawyer. Most workers come to us with lawyers already and, while we would not try to compel them to dismiss them as the lawyers may be doing work that has some kind of benefit for the worker, workers are also told that they do not really need them if they are willing and confident to navigate the framework with MOM and our help instead.

Another benefit of the system is that once a worker has a WICA claim in progress, MOM informs employers that they are not to send employees home against their wishes. While an employer might still try to do this, knowing that the MOM has a record of the worker and his claim often does a little to dissuade the employer.

In a perfect world, WICA would work well. However, we do not live in a world like this and WICA’s real life application is often not that straight forward. To begin with, just getting the claim filed can get problematic.

It’s an injury, how can it go unreported?

When an injury occurs, the worker involved is, as to be expected, in pain and worried about his wellbeing. Additionally, he is also often disoriented by the unfamiliarity of the language and processes he encounters. For these reasons, many workers often put their trust in their employers to do the right thing and even help them with the claims process. This trust however, is sometimes (if not often) misplaced. In some cases, employers are not only unsympathetic but may try to prevent workers from seeking the medical attention they need. Some even become enraged when the worker presses for medical attention or is granted long medical leave by doctors.

Razib’s story, as covered by Seah Bei Ying from TWC2’s volunteer writing team,¹ tells about circumstances similar to what I’ve just described. After a rebar fell on his foot during work, Razib was told to wait two days just to see the company doctor. He was also told that if he sought medical help from anyone apart from the company doctor, it would be at his own expense. Initially, after only being given four days medical leave over two separate visits to the company doctor, Razib, terrified of being sent home, tried to work through the pain. Eventually this pain got to be too much and Razib returned to the company doctor a third time. It was then that the doctor referred him to Ng Teng Fong Hospital to get an X-ray done and to consult with a specialist. It was at the hospital that it was discovered that Razib had in fact fractured his foot and that recovery would take at least two months.

What followed this news was not sympathy from his employers but instead anger about the long medical leave he had been granted. From then on, Razib was constantly visited at his dorm by company higher ups who would hassle him. Feeling threatened, Razib moved out and was forced to pay for his own lodging and food even though MOM rules that these costs should be borne by the employer.

Reporting of accidents is meant to be the employer’s duty. Employers are actually supposed to report to MOM if their employees are given more than three days of medical leave or have been hospitalised for at least 24 hours². However, it is not uncommon for employers to drag their feet or try to circumvent this.

Apart from completely disregarding this rule, one other way employers seem to get around it is by through doctors who give workers under three days medical leave so that the employer does not have to report the accident and the company thereby retains an accident record that seems good, which can count in a tendering process. As reported in “Straits Times” in August this year, V. Anbazhaga, a shipyard worker, was only given one day medical leave after his finger was crushed and the fingertip had to be amputated³.

This illegal behaviour means that injured workers not only don’t get the care they require: it also prevents the starting of a paper trail. While WICA claims can be made for up to one year after the accident date, the longer the lapse in lodging one, the harder it will be to provide supporting evidence.

As one might see, with workers struggling to merely get their injuries looked at properly or being allowed to take the medical leave they are granted, getting a case started in WICA is already not that easy.

One also has to take into consideration that as workers’ permits tie them to their employers, their livelihoods and the roof over their heads are being provided by the same people they are considering going up against.

Having paid a lot of money to come to Singapore to work, some workers bank on promises made by employers to cover their bills or provide them with fair compensation, hoping they will be able to remain employed. Workers often also worry that starting a WICA claim would prevent them from ever coming back into Singapore to work.



This worker's boss tried to put him on a 'plane and send him out of Singapore. He had a broken patella. TWC2 volunteer, Debbie Fordyce (who took this photo) says, "When I first met him, he had a cast on his arm and his leg. The casts had been there so long that he hadn't washed in weeks, so I cut them off with wire cutters to take a peek at the injuries and let him shower. The arm was fine, and he finally had the operation on the patella."

The process has started, what else could go wrong?

Let's say the claim has in fact been filed. Under WICA, the injured party only has to prove that the accident happened at work and **not** that the employer is at fault. However, as one would expect, this too can pose a problem. Errant employers will often deny that the accident happened at work or claim that the employee was actually involved in a fight, not an accident. Injuries caused by fighting are not covered under WICA.

For some reason, even though one would logically think that employers would be the ones keeping records of attendance and working hours, when these records “cannot be found” or “do not exist”, it often comes down to the injured party having to scrape together whatever he can to prove his presence at work.

As might be expected, site logs, incident reports, sign in sheets or eyewitness testimony are often hard for claimants to obtain. Having eyewitnesses to corroborate the sequence of events is often a good way to help the men build their cases. However, it is not uncommon for eyewitnesses who were initially willing to come forward suddenly get cold feet or change their mind. It is not hard to see how this happens, as witnesses are often worried about their own jobs or have even been threatened with violence or repatriation.

There have also been instances where workers tell of all witnesses to the accident having been sent home.

Workers also have to take responsibility for recording what happens at the hospital they go to. In order to maintain the accuracy of the record of the incident, workers not only need to ensure that doctors and hospitals treat them appropriately, but also that information recorded by medical staff about the accident is accurate.

As mentioned earlier, many of the men who come to Singapore speak a limited amount of English and this is a fact of which supervisors, managers and bosses routinely take advantage. By taking over the conversation at the hospitals, these higher ups often use the chance to twist how the incident happened and start to embed from that point forward that it was not a workplace injury.

This is what happened in Muslem Motalb's⁴ case. After sustaining a knee injury at work and trusting that his employer would help him with his claim, he was dismayed to discover later that his supervisor and manager had not only told the hospital that he had fallen in the dorm but also that they also had intended to repatriate him instead of letting him receive the surgery recommended by the hospital. In fact, it was the attending doctor that advised him to lodge his complaint to MOM.

If a worker is claiming for permanent incapacity, he will be required to attend all medical appointments or face his case being suspended⁵. Keeping medical appointments is something that seems easy enough, but is, in fact, also often hindered by employers.

As cases drag on and men are left to fend for themselves without being able to work, it is not surprising that many cannot afford to come up with the money upfront for their hospital bills. Employers are supposed to either pay all medical bill by the next payday or provide a letter of guarantee to the hospital or clinic so that the assessment and/or treatment is not disrupted. However, this is often simply not done. During my visits to The Cuff Road Project (TWC2's meal programme), I've found not being able pay or have a letter of guarantee is a very common gripe the men have.

Injured men are still recommended to turn up for their appointments in the hope that the hospital might still proceed or at the very least will not register the appointment as a no-show. This, however, is also at the men's expense. Making these futile trips to the hospital and back costs money - even more for men with injuries that prevent them from taking the bus or train.

TWC2's FareGo programme aims to alleviate this problem by providing the men with topped up Ez-link cards for the purpose of getting to and from their appointments. However, one does have to ask if it's fair for these workers to be compelled to put more money upfront simply because their employers do not follow the rules.

Wronged and yet still put under pressure?

It would plainly be helpful to look at the WICA system to see how it can be improved so that injured workers who already have the disadvantage of being injured and out of a job are not made to shoulder so much of the burden in getting the paperwork and evidence that is required to move their cases forward.

While the Work Injury Compensation Act states that it is the employer's responsibility to report accidents⁶ and charges can be brought if this does not happen⁷, it is clear that some employers wilfully go out of their way to avoid this.

MOM has charged workers with making fraudulent claims under WICA with the intention to show that they are upholding the integrity of the system⁸ (*the issues with some of these cases is a story for another time*), and has said that it will treat employers similarly. This is not to say that workers do not make fraudulent claims: however, based on how many workers end up having to file WICA on their own or complain about employers falsifying facts, it would be interesting to know how come we have yet to see many (if any) convictions for employers making fraudulent claims during the WICA process.

Does the system also place too much responsibility on men by failing to take into consideration the mounting problems that they face during the WICA process? Is it really fair to expect a migrant worker who has no legal means of making money and whose employers hold out on making payments to be out of pocket or borrow to pay for transport and medical appointments that are necessary in order to push the WICA claims forward? Does it really make sense for claimants to be depending on the employers they sometimes are forced to claim against to now decide to do the right thing and not hinder the process?

For now, our advice to workers still places the responsibility on them. Know your right to make a claim when an accident happens, do not sign anything that your boss gives you if you do not understand it, be as thorough as possible when it comes to paperwork and do not be afraid to speak to the hospital doctors.

All these are merely preventive measures and not always an option for men when threatened with violence or when the companies themselves do not provide proper documentation.

Perhaps one day, things will become easier for them when employers are also required to shoulder some of the burden. However for now, knowing these things and trying to follow as much as possible to decrease the possibility of employers

trying to wriggle their way out of claims is definitely better than getting caught languishing in Singapore with no work or compensation.

Nicolette Stewart

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Workplace Safety and Health Institute Report

The Workplace Safety and Health Institute has published a report for the first half (January-June) of 2016, with mixed results regarding improvements in worker safety. Most notably, there has been a stark increase in the number of workplace fatalities, from 30 workplace deaths in the first half of 2015 to 42 deaths in the same period of 2016. This corresponds to an increase of the workplace fatality rate from 0.9 to 1.2 fatalities per 100,000 workers. However, in the same period there has also been a decrease in the number of recorded major workplace injuries as well as the overall injury rate. Additionally, reports of dangerous occurrences have also increased from 20 in the first half of 2015 to 27 this year. Looking at longer term trends, the first half of 2016 has been the deadliest half-year for workers in the last 10 years and presents the highest fatality rate since 2011. More positively, the rate of recorded major injuries has been on a steady decrease from 10 injuries per 100,000 workers in 2011 to 8.4 in 2016. The rate of occupational disease has also been more halved in the last 5 years, from 24.2 per 100,000 in 2012 to 12.7 per 100,000 in 2016. Although there has been some improvement in worker safety, this report demonstrates that there are still limbs and lives that can be saved.

It is uncertain if the increase in workplace deaths is anomalous or indicative of a larger trend. As in almost all years past, the plurality of workplace deaths took place in the construction industry, with 17 fatalities; manufacturing and marine sectors followed with five workplace deaths each. Although the Workplace Health and Safety Health Institute does not publish figures on the nationalities of those who have been killed or hurt from workplace accidents, the victims are almost certainly disproportionately migrant workers. Approximately two-thirds of the construction industry, half the manufacturing sector, and a similarly large portion of the marine sector labour force is composed of foreign workers, most of whom are South Asian. Foreign workers also disproportionately work in lower-paid, more dangerous jobs and are under pressure to take overtime hours with little rest, compounding existing risks. Enforcing workplace safety and promoting safety measures are especially important for the well-being of migrants.

The Workplace Safety and Health Institute has taken some constructive steps in recent years to better employee safety, albeit with insufficient focus on migrant safety. The Vision Zero Movement, launched 2015 by the WSH Institute with the goal of "adopting a mindset that all workplace injuries and health issues are preventable" has made positive steps in identifying risks and promoting a culture of safety, but does not address root causes of the majority of workplace deaths. Migrant workers are often pressured, explicitly and by needs to repay exorbitant debt, to work overtime with little rest and sacrifice safety for efficiency. Pressures like these contribute to, if not directly cause, many of the 42 deaths in the first half of this year. Although there have been some trends in the latest Workplace Safety and Health Institute Report that call for optimism, the sharp rise in workplace deaths demonstrate that there is still much progress to be made before Singapore can realize the goal set that all workplace accidents are preventable.

Bill Wang

Andy Hall Found Guilty – But Appeals

Finnwatch Press Release: British migrant rights defender Andy Hall found guilty in a shock ruling by Bangkok court (September 20th, 2016)

Bangkok South Criminal Court today announced a shock guilty verdict against British migrant rights defender Andy Hall in a criminal defamation and Computer Crimes Act charges case brought against him by Natural Fruit Company Ltd. The Court found Andy Hall guilty for defamation, sentenced him to prison for four years and ordered him to pay 150 000 baht fine. Imprisonment will be suspended for 2 years.

Andy Hall will appeal the ruling and apply for bail.

The charges related to publication of a report Cheap Has a High Price in 2013 by Finnwatch, a Finnish civil society organisation. The report outlined allegations of serious human rights violations at Natural Fruit's pineapple processing plant in Prachuap Khiri Khan province in Thailand.

"We are shocked by today's verdict. The report was authored and published by Finnwatch; we take full responsibility for it. Andy has been made a scapegoat in order to stifle other voices that speak out legitimately in support of migrant worker rights," said Sonja Vartiala, Executive Director of Finnwatch.

"This is a sad day for freedom of expression in Thailand. We fear that many other human rights defenders and victims of company abuse will be scared to silence by this ruling," added Vartiala.

"Thailand's laws that allow for criminal punishment and even imprisonment for defamation are in clear breach of Thailand's international human rights obligations. Instead of allowing companies to take human rights defenders to criminal courts for alleged defamation, Thailand needs to thoroughly follow through on allegations of violations of migrant workers' rights."

In October 2014, the Prakanong Court in Bangkok dismissed another criminal defamation case brought by Natural Fruit against Andy Hall on the grounds of a flawed prosecution that was in breach of the Thai Criminal Procedure Law. Appeals in this case, submitted by both Natural Fruit and Thailand's Attorney General are currently being considered by Thailand's Supreme Court after the Appeals Court threw out an initial appeal in September 2015.

In addition to the two criminal cases, Natural Fruit has also filed two civil claims for damages against Andy Hall totalling 400 million baht (approximately 10 million euros). These cases have been put on hold until the corresponding criminal cases have been concluded.

For more information:

Q&A-document, last updated on 12 September 2016, available at: http://www.finnwatch.org/images//AndyHall_QA_September_2016_Eng.pdf

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Anti-Trafficking Review

No 7 (2016): Special Issue—Trafficking Representations

Guest Editors: Rutvica Andrijasevic and Nicola Mai

Representations of human trafficking, forced labour and 'modern slavery' are pervasive within media, policymaking, and humanitarian interventions and campaigns. This issue of the Anti-Trafficking Review explores the ways in which some representations erase the complexity in the life trajectories of people who have experienced trafficking, as well as those who are migrants, women, sex workers and others labelled as victims or 'at-risk' of trafficking.

Contributions in this issue examine visual material and narratives through which trafficking and its victims are represented in film, TV, newspapers and public discourse. The articles investigate representations in Australia, Cambodia, Nigeria, Serbia, Denmark, UK, and USA. Ultimately, this special issue highlights the fact that stereotypical trafficking representations conveniently distract the global public from their increasing and shared day-to-day exploitability as workers because of the systematic erosion of labour rights globally. Crucially, the issue also discusses positive alternatives and how to represent trafficking differently.

The whole issue can be viewed at: <http://www.antitraffickingreview.org/index.php/atjournal>

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