



COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Participation by Non-Governmental Organizations (NGOs)

Shadow Report To 68th Session By The Centre for Domestic Employees

1. The Centre for Domestic Employees (CDE), Singapore

- 1.1 The Centre for Domestic Employees (CDE), is a non-governmental organization set up by the Singapore's National Trades Union Congress (SNTUC) in January 2016 to assist domestic workers, both local and foreign, in addressing work-related challenges that they may face.
- 1.2 The setting up of CDE was an integral part and a continuum of the Singapore Labour Movement's (LM) all-inclusive approach to help working people of all collars, ages and nationalities, ranging from the rank and file, to professionals, managers and executives (PMEs), freelancers, self-employed and migrant workers.
- 1.3 CDE champions for the fair treatment of domestic workers in Singapore through a balanced and pragmatic approach in resolving issues and providing humanitarian aid, social integration and support.
- 1.4 Besides having a walk-in centre, CDE is setting up satellite offices at the common congregation areas of the migrant domestic workers (MDWs) so that we can provide more immediate assistance to them. To date, CDE has reached out to over 60,000 MDWs through various platforms.
- 1.5 CDE also conducts outreach efforts on the ground to reach out to more MDWs. A 24-hour toll free helpline, 1800 CALL CDE (1800 2255 233), is available to provide round-the-clock assistance and in times of need, CDE provides shelter to them.
- 1.6 We also take a proactive and upstream approach in helping domestic workers as we want to resolve their issues and challenges before they begin to trouble them.



1.7 To further extend our humanitarian aid to distressed workers, CDE set up a charity fund, the Domestic Employees Welfare Fund, in late 2016 and is managed by an appointed Board of Trustees.

2. General Migrant Domestic Workers (MDWs) Situation In Singapore

2.1 The female MDWs in Singapore come from various source countries, such as Cambodia, India, Indonesia, Myanmar and the Philippines. According to the official statistics released by the Ministry of Manpower (MOM) Singapore, the population of the MDWs in Singapore as of December 2016 was 239,700. They formed almost 20% of the total foreign workforce in Singapore and from CDE's interactions with the MDWs, they largely come from Indonesia, Myanmar and the Philippines.

2.2 Through our engagements with the MDWs, we find that most of them are generally happy working and staying in Singapore due to a healthy employer-employee relationship, the strong rule of law, the support that they can get from their communities, among others.

2.3 While comprehensive laws are in place to ensure protection of the MDWs in Singapore under the Employment of Foreign Manpower Act (EFMA) and Penal Code, there are still cases of MDWs who are owed salaries or abused. Out of the about 800 cases that CDE has handled thus far, salary disputes and abuse were among the most common problems that they faced, about 13% and 12% respectively. These will be addressed in the subsequent sections of this report.

2.4 In the context of CEDAW, this report will also touch on the following issues relating to MDWs in Singapore:

- Preparing MDWs to Work in Singapore
- Protection for MDWs
- Rest Day Provisions and Reaching Out to MDWs
- Flexibility to Change of Employment
- Overseas Agency Fees



3. Preparing MDWs to Work in Singapore

3.1 Many MDWs have lived in villages and may not have left their hometowns before coming to Singapore. Therefore, the environment in Singapore may cause some feelings of displacement for the MDWs. Communication may also be an issue for such MDWs who may not be familiar with the languages spoken in Singapore. While training is often conducted in the source country before the MDW comes to Singapore, the training may be generic and not suited to the culture in Singapore.

3.2 CDE is working with NTUC Learning Hub and Skills Future Singapore on a curriculum of training focused on cleaning, cooking and housekeeping to better equip the MDWs before they come over to Singapore. We will also come up with some basic conversational English for the MDWs. CDE will work with the employment agencies to adapt their training curriculum at source to ensure common standards of preparedness. MDWs who can pass the assessment upon completion of the training will be given a certificate under a Singapore recognized Workforce Skills Qualification standard.

3.3 Separately, CDE is working on a pre-departure video to be shared at the source countries to give the MDWs a better understanding on the working conditions in Singapore, the dos-and-don'ts regarding employment and the laws of Singapore.

4. Protection for MDWs

4.1 Although MDWs are not covered under Employment Act (EA), Workplace Safety and Health Act (WSHA) and Work Injury Compensation Act (WICA), CDE appreciates that employment protection is accorded to MDWs by way of other legislations such as the EFMA and the Employment Agency Act (EAA). The EFMA ensures, among other provisions, that employers can only deploy MDWs to do domestic chores and work at a registered residential address. This prevents exploitation of MDWs by unscrupulous employers. The Act also stipulates various obligations of the employers to ensure the well-being of the MDWs. For example, employers are required to bear all medical cost incurred by MDWs, pay their salaries on time, provide rest days (or salary in-lieu) at least once a week, and supervise MDWs when performing high risk work activities such as cleaning of windows. Although not covered under WICA, MOM requires employer to purchase Personal Accident Insurance with minimum coverage of \$40,000 (to be raised to \$60,000 by 1 October 2017) for their MDWs.



4.2 The Government has often explained the reason for not covering them under the EA, WSHA and WICA are due to their work environment. The domestic setting is different from a typical work setting. It is not straightforward to differentiate what constitute work vis-à-vis non-work activities in a domestic setting, hence posing enforcement problems to provisions such as work hours.

4.3 Notwithstanding the protection provided by EFMA and EAA for MDWs and that the proportion of salary non-payment cases remains low, CDE believes that each salary non-payment case brings unjustifiable suffering to the MDW and her family. With this, CDE has been pushing for electronic payment of salary. Thus far, MOM has taken a promotional approach to encourage adoption of electronic payment of salary for migrant workers and MDWs. Although it is stated in the law that employer must provide electronic payment of salary if the MDW so requests, this is not widely known. CDE is pushing for more to be done. We believe that electronic payment of salary will produce more credible documentary proof for payment or non-payment of salary, thereby better supporting enforcement against errant employers, and facilitate recovery of owed salaries for the MDWs.

4.4 CDE is working with DBS Bank Ltd to make the opening of accounts more seamless and the maintaining of accounts more attractive to them. CDE is also working actively with employment agencies to get their MDWs to open accounts and to help employers link up with the bank to provide e-payments.

5. Rest Day Provisions and Reaching Out to MDWs

5.1 MDWs, like any other employees, should be entitled to leisure time and to be able to rest or seek company of fellow friends.

5.2 The Employment of Foreign Manpower (Work Passes) Regulations was enhanced in 2013 to mandate that employers of MDWs grant them one rest day per week. The regulations also allow the employer and MDW to mutually agree to forgo the rest day, and instead receive compensation at a rate of pay for one day's work.

5.3 Since the introduction of the requirement in 2013, the proportion of MDWs who had weekly rest days have increased. According to a survey published by MOM, 97.5% of MDWs surveyed had at least one rest day a month in 2015, as compared to 53% in 2010. A separate survey done by Non-Governmental Organization, Transient Workers Count Two (TWC2), which surveyed 195 MDWs between July 2013 to October 2014, found



that 89% of respondents had at least one rest day a month, similarly an increase from MOM's figure for 2010.

5.4 While the improvement is heartening, there remain some MDWs who do not have a rest day. In some cases, MDWs have found that rest days in Singapore are very expensive and choose not to have them. In others, employers require MDWs to stay at home seven days and select MDWs who are willing to forgo their rest days for more pay. Without rest days, MDWs may overwork or lack access to outside help especially if they are facing some form of abuse.

5.5 CDE has already been working with the Government to ensure that all new MDWs receive our collaterals including a card sleeve with our 24hr helpline number. CDE has also given input on topics that can be covered by the Government in the one day Settling-in-Programme that the Government conducts for all new MDWs. This includes communicating the MDW's rights and what is not acceptable behaviour on the part of employers and how MDWs can seek help.

5.6 However, beyond providing avenues for MDWs to seek help, CDE recommends that more can be done for Government and civil society to actively reach out to MDWs and check on those who are more vulnerable. Government already interviews a number of MDWs within their first 6 months of employment to find out if they are settling in well. CDE wants to also play a part in this and be involved in interviewing new MDWs within the first 6 months of their employment in Singapore. This will allow CDE to understand the working and living conditions of the MDWs, actively intervene to provide counselling services and provide feedback to the MOM who can then take steps to address any malpractices early. CDE is also prepared to consider other means of reaching out to MDWs at their homes.

6. Flexibility to Change of Employment

6.1 The current policy requires MDWs to seek their current employers' consent should they wish to change employer and should their employers not give consent, the alternative would be for the MDWs to resign and return to their home countries. CDE is of the view that MDWs ought to also have the opportunity to change employers.

6.2 Having the right to change employment helps ensure a better balance of bargaining power between the MDWs and their employers, thereby helping to reduce incidences of abuses. We note that today MDWs who have valid claims against their employers are



already allowed to seek alternative employment and this is offered to all victims. We feel that this should be communicated more broadly to all MDWs so that they can come forward quickly with their claims with the reassurance that they can change employers. We also urge MOM to consider further relaxing the current policy about the ability for MDWs to change employers.

7. Overseas Agency Fees

7.1 Lastly, CDE frequently comes across MDWs who incurred significant debts to work in Singapore. Most of the time, this bounds them tightly to their current job because losing the job would mean incurring a large sum of unpaid debts. We have found that a large part of the debts incurred by MDWs came from fees demanded by intermediaries within their home countries. Within Singapore, the EAA regulates the fees payable to Singapore employment agencies at 1 month of salary per year of employment, capped at 2 months for each employment term. This helped ensure that employment intermediaries in Singapore do not overcharge the MDWs. However, more can be done in source countries to put in place regulations to address the fees payable at source countries. One of the ways is to make the recruitment fees transparent.

8. Conclusion

8.1 In conclusion, we recognize that MDWs in Singapore are generally happy with working and living here. Although cases of abuse or ill-treatment sometimes do happen, we have seen improvements in MDWs' conditions over the years. Nevertheless, we continue to push for greater improvements. We believe that constructive discussion and collaboration between the Singapore Government and NGOs like CDE would serve to accelerate the pace of improvements in MDWs' well-being in Singapore.