



Universal Periodic Review 3rd Cycle Stakeholder Submission
by
Centre for Domestic Employees (CDE)
Singapore
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About the Centre for Domestic Employees (CDE), Singapore

The Centre for Domestic Employees (CDE) is a non-governmental organisation 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.

CDE champions for the fair treatment of domestic workers in Singapore through a balanced and pragmatic approach towards dispute resolution, humanitarian aid, social integration and support. CDE does so by proactively engaging stakeholders to aid domestic workers in distress, actively developing partnerships with service and training providers to facilitate the up skilling of domestic workers, and harmonising the relationships between employment agents, employers, and domestic workers. Above all, CDE strives to integrate domestic workers socially into Singapore. We believe that through our efforts, CDE can foster a positive environment that engenders mutual understanding and respect among employers and employees.

(2793 words, excluding cover page)

1. Background to Foreign Domestic Workers (FDWs) Situation in Singapore

1.1 FDWs in Singapore come from various source countries, such as Cambodia, India, Sri Lanka, Indonesia, Myanmar and the Philippines. According to the official statistics released by Singapore Ministry of Manpower (MOM), the population of the FDWs in Singapore as of December 2019 was 261,800. They formed 18.3% of the total foreign workforce in Singapore. Based on CDE's interactions with FDWs, they mainly come from Indonesia, Myanmar and the Philippines.

1.2 The Government protects the well-being of FDWs by stipulating regulations¹ that employers and employment agencies must comply with. The most recent amendments in 2012, in relation to employers' responsibilities include the need to provide adequate food and medical treatment (including the purchase of medical and personal accident insurances), acceptable accommodations, payment for the FDWs' repatriation journey, as well as to ensure all outstanding wages are paid. In addition, FDWs must be given one rest day per week, which may be replaced with payment should the employer and FDW agree to this arrangement. However, even with these stipulated protections, FDWs continue to face employment and welfare-related issues and in more severe situations, are abused by their employers.

1.3 It is challenging for the Singapore Government to monitor every single employment relationship and to take each perpetrator to task. The current enforcement mode leans towards instances of whistleblowing. As such, Non-Governmental Organizations (NGOs)² like CDE has taken the lead to identify instance of infringements and has provided assistance on the ground to enhance the level of support for the FDW community.

2. Legislative Protections – Response to Recommendations 79, 94, 131, 132, 133, 135, 136, 137, 138

2.1 FDWs are well-protected under Singapore's laws. While FDWs are not covered under Employment Act (EA), Workplace Safety and Health Act (WSHA) and Work Injury Compensation Act (WICA), they are covered by other legislations such as the Employment of Foreign Manpower Act (EFMA) and the Employment Agency Act (EAA) that protect the rights of domestic workers.

2.2 EFMA imposes conditions that require employers to look after the well-being of their FDWs and EAA stipulates the responsibilities of employment agents when deploying and placing FDWs.

2.3 The EFMA ensures, among other provisions, that employers can only deploy FDWs to do domestic chores and work at a registered residential address. This prevents exploitation of FDWs by unscrupulous employers who deploy them to work in multiple households or to work in commercial businesses. The Act also stipulates various obligations of the employers to ensure the well-being of the FDWs. For example, employers are required to bear all medical cost incurred by FDWs, pay their salaries on time, provide rest days (or salary in-lieu) at least once a week, and supervise FDWs when performing high risk work activities such as cleaning of windows in high-rise apartments.

¹ Employment Agencies are regulated under the Employment Agencies Act (EAA), while employers are regulated under the Employment of Foreign Manpower Act (EFMA).

² The more prominent NGOs in the FDW space include Centre for Domestic Employees (CDE), Foreign Domestic Worker Association for Social Support and Training (FAST), and Humanitarian Organization for Migration Economics (HOME).

2.4 The EAA was enacted to provide regulations for employment agencies (EAs) in Singapore and has undergone several revisions. In April 2011, based on the power conferred by the EAA, the Minister of Manpower made the Employment Agencies Rules (2011) and the MOM implemented the Employment Agencies Regulatory Framework to raise the standards of EAs in Singapore, and to offer greater protection to FDWs from unscrupulous EAs.

2.5 Key provisions under the Employment Agencies Regulatory Framework that protects FDWs include a cap in placement fees that EAs can charge FDWs. Specifically, EAs can charge no more than one month's salary per year for the duration of the approved work pass or employment contract, whichever is shorter, capped at a maximum of 2 months' salary for a two-year (or more) contract. The framework also stipulates that EAs must refund 50% of agency fees collected from FDWs if FDWs are terminated by their employers within the first six months of employment.

2.6 In addition to the Employment Agencies Regulatory Framework, the MOM has enacted the Employment Agencies License Conditions (EALCs) to govern the granting of EA licenses. The EALCs was amended several times and the amendments in 2018 further impose on EAs the responsibilities to upkeep and maintain FDWs who are transiting between employments, and also stipulates that EAs must provide adequate food and medical treatments and acceptable accommodations to FDWs who are returned to agencies after deployment for any reasons.

2.7 Singapore Penal Code was amended in 1998 to increase the maximum penalties, including jail term, by one-and-a half times for employers or household members who abuse FDWs. The Penal Code was further strengthened in May 2019 to increase the penalty to two times and to also include punishments up to seven years of jail and a fine up to \$20, 000 for bystanders who witnessed and allow the abuse of domestic workers that result in their death. Persons who committed physical and/or sexual abuse of FDWs will permanently be barred from employing FDWs.

2.8 The enforcement of the above legislations has been fairly rigorous and multiple channels have been set up by the authorities for NGOs and the general public to surface instances of infringements.

3. Education and awareness of rights and responsibilities – Response to recommendations 132, 136.

3.1 All FDW applicants are required to be at least 23 years old and have a minimum of eight years of formal education before they are permitted to work in Singapore. These entry requirements are implemented to bring in more mature FDWs who can generally adapt better to working and living in a foreign urban environment.

3.2 All first-time FDWs are now required to attend a mandatory one-day SIP in Singapore to orientate and equip themselves with basic knowledge of living and working safely in Singapore, fostering good working relationships in the household, stress management, and ways to seek help when in need, as well as the conditions of employment and responsibilities of FDWs. The SIP curriculum is designed by MOM and is to be undertaken by the FDWs before they are deployed to households. There are currently three approved training operators of the SIP programme in Singapore.

3.3 In recent years, there is an increased emphasis in SIP curriculum on safety awareness and workers' rights. More class time is being spent to teach FDWs about living and working in high-rise urban environment. This is particularly important due to the predominance of high-rise public housing in Singapore. CDE has given inputs to MOM on topics to be covered in SIP and CDE is the process of developing a short SIP module on FDWs' employment and welfare rights, and where/how they could seek for assistance.

3.4 The SIP is conducted in the native languages of the FDWs to maximise comprehension and retention. The programme comprised a combination of lectures, videos, and practical exercises. FDWs are also given a handy guide and safety pamphlets in their native languages and are illustrated with pictures of safety dos and don'ts, as well as basic rights and responsibilities.

3.5 Since February 2019, CDE has developed pre-departure videos to educate FDWs of their rights and responsibilities and these are to be screened at the various source countries before FDWs depart for Singapore. The base video is in English and it is voiceover in nine different native languages of FDWs to facilitate their comprehension and understanding.

3.6 CDE is now working with the embassies of Philippines, Indonesia, Myanmar, Sri Lanka, India, and Cambodia to screen the pre-departure videos at training centres at source countries as part of FDW training curriculum and also at the point of departure before FDWs leave for Singapore. The Philippines Embassy in Singapore conducts a post-arrival orientation for Filipino FDWs and the pre-departure video is currently being screen at the post-arrival orientation as part of the curriculum.

4. Well-being – Response to recommendations 133, 134, 136.

4.1 Under the law, employers are responsible for the well-being of FDWs. Employers are obliged to provide adequate food and rest, acceptable accommodation, safe working environment, and medical treatments for FDWs.

4.2 The law states that all employers must provide FDWs with adequate rest time and three daily meals that are suitable for a female who is engaging in moderate physical activities. The MOM has provided explicit guidelines on what would constitute a suitable amount of food that employers need to provide, and that FDWs should have at least six hours of uninterrupted rest at night.

4.3 Employers are to provide FDWs with acceptable accommodations. Under the guidelines provided by the MOM, the accommodation must:

- adequately protect the FDWs from environmental elements
- possess basic amenities
- sufficiently ventilated
- safe and free from sanitation problems
- protects the privacy and modesty of FDWs

4.4 Employer must ensure that FDWs perform their work in a safe manner. FDWs might not be used to living and working in a high-rise urban environment and they must, therefore, be made aware of risks when performing certain chores such as cleaning of windows and hanging of laundry. Mandatory safety briefings are given during the Settling-in-Programme (SIP) and FDWs are taught the dos and don'ts when cleaning windows or when hanging laundry. Similar briefings are given during the EOP to ensure that employers are also aware

about how to create a safe work environment for FDWs.

4.5 It is mandatory that employers purchase medical insurance for FDWs with coverage of at least \$15, 000 per year. Employers are also required by law to purchase a personal accident insurance with a minimum assured sum of \$40, 000 to cover sudden, unforeseen and unexpected incidents that result in permanent disabilities or death of FDWs. The coverage quantum for personal accident insurance has since increased to \$60, 000 as of 1st October 2017.

4.6 Employers who breach these work permit conditions can be penalised with fines and jail terms. An employer will be debarred from employing FDWs if he has committed offenses such as failing to provide acceptable accommodations, failing to pay FDW's salary, requiring FDWs to perform dangerous tasks such as cleaning of exterior windows of high-rise apartments without supervision and safety precautions, and illegally deploying FDWs.

4.7 CDE is one of two NGOs in Singapore that provides a 24-hour helpline service to support the needs of migrant workers. The helpline is staffed by CDE's case officers and the case team has capabilities to converse in six languages that are common in the FDW community (i.e. English, Bahasa Indonesia, Tagalog, Burmese, Tamil, and Mandarin).

4.8 CDE receives approximately 200 phone calls per month, of which, more than half are from FDWs making inquiries about employment related matters, and more recently, matters related to management of personal finances. Approximately 1/3 of the calls received are from FDWs in distress. When deemed necessary, a case officer will be dispatched to the last known location of the distressed FDW to assist her.

4.9 CDE has partnered two community organisations to provide conflict resolution and mediation services so that employers, employment agents, and FDWs involved in the conflict can avoid the need to undertake legal actions. Since October 2019, CDE has partnered Lutheran Community Care Services (LCCS) to provide restorative practice to help support the healing of relational conflicts. Since January 2020, CDE has partnered International Institute of Mediators (Singapore) (iiM) to provide mediation services when there are contractual disputes and disagreements, in particular, between EAs and employers.

5. Access to vocational training – Response to recommendations 135.

5.1 Based on a large-scale survey conducted by CDE in 2017 with 1,012 FDWs and 1004 employers, skills and training has been identified to be one of the key areas where there was significant mismatch in expectations between employees and employers. While a majority of FDWs (98.7%) claimed that they have undergone training before deployed to work, only slightly more than half of employers (53.9%) felt that their FDWs have been trained.

5.2 Discrepancies in expectations often lead to disharmonies between employers and employees. CDE saw the need to help bridge this gap by calibrating FDWs' competency at performing housekeeping duties so that they possess basic levels of proficiency for various areas of their work.

5.4 CDE has partnered NTUC LearningHub to develop a skills certification framework (CDE-NTUC LearningHub Skills Certification Framework) that is modelled after the Workforce Skills Qualifications administered by Skills Future Singapore (SSG). The certification framework is designed to assess FDWs in basic competencies in cleaning, cooking and ironing. FDWs who passed the certification will receive a certificate jointly

conferred by CDE and NTUC LearningHub. The certification programme is currently voluntary and about 300 FDWs have undergone it since inception in October 2018.

5.5 In October 2019, CDE, together with Temasek Foundation Cares, NTUC Learning Hub, and SEED Institute have soft launched a pilot programme – Responsive Caregiving Programme which aims to upskill 500 FDWs so that they are better equipped with the necessary competencies to provide caregiving for children (16 months to 6 years old) with challenging behaviours. The programme is heavily subsidised by Temasek Foundation Cares for lower income families. with each family receiving a flat subsidy of \$480 off the training fee.

5.6 CDE, together with our partners, are in the midst of offering more competency-based programmes such as toddler care and elder care programme to upskill domestic workers. At the same time, CDE has partnered other like-minded NGOs to introduce capacity programmes like entrepreneurship and hairstyling classes to support FDW's aspirations to start businesses or to enter another trade upon completing their employment in Singapore.

6. Other developments or relevant issues not addressed during previous reviews

6.1 Since inception, CDE has proactively engaged the FDW community through various platforms and we have established a firm footprint as the go-to NGO for FDWs when they encounter employment or welfare-related issues.

6.2 CDE has a team of case officers from various nationalities and we adopt a proactive case management and resolution approach where our team of case officers engage the authorities and employment agents to ensure that cases are resolved expeditiously. CDE's team of case officers also provide first-line support to FDWs in distress, for instance, counselling services to support distressed FDWs and mediation services to arbitrate disputes between employers and FDWs.

6.4 Since 2016, CDE has render assistance to more than 5,730 FDWs (as of June 2020). In 2019, CDE has aided approximately 1950 FDWs – a significant increase from 1360 FDWs assisted in 2018. Among the cases CDE has managed, salary disputes remain as the top issue. Over the years, CDE has helped to recover more than \$422, 000 (as of June 2020) in unpaid salary.

6.5 To strengthen our connection to the community of FDWs in Singapore, as of June 2020, CDE has recruited approximately 850 volunteers, which consists of FDWs and non-FDWs, and 275 FDW ambassadors who are passionate in helping us reach out to the larger community of FDWs in Singapore.

6.4 These volunteers and ambassadors are our eyes and ears on the ground where they would surface issues experienced by other FDWs residing within the same neighbourhoods as they do. CDE has conducted a series of volunteer induction programmes to equip them with the relevant knowledge on employment-related rights of domestic employees, and how to assist others who are in need. They have enhanced CDE's capabilities to identify and intervene in cases. For instance, in April 2019, a distressed FDW was rescued from her abusive employer's home thanks to a tip-off from one of CDE's FDW volunteers. Similarly, in June 2019, credit to a video tip-off by one of CDE's FDW volunteers, we conducted a stakeout operation to intervene in a possible case of illegal deployment of a FDW who is also suspected to have suffered from issues related to insufficient food and rest.



6.5 CDE provides shelter and care for FDWs who encounter unfortunate circumstances such as being abused by their employers and are in the midst of resolving their claims. CDE's capabilities have grown throughout the years and we have managed to provide shelter for 556 FDWs throughout 2019. Since May 2019, we have expanded our shelter facilities to accommodate up to 120 FDWs at any one point in time and we have partnered The Salvation Army to co-run the expanded shelter.

7. Conclusion

FDWs are generally happy with working and living in Singapore. Although cases of abuse and ill-treatment sometimes do happen, we have seen improvements in FDWs' working conditions over the years. CDE will continue to push for policy enhancements to improve the working conditions and welfare of FDWs. CDE believes that constructive discussions and strong collaborations between the Singapore Government and NGOs like CDE will serve to harmonise the relationships between policymakers, employment agents, employers, and FDWs.