

THEME : MIGRANT WORKERS : Domestic workers

By being excluded from the Employment Act, domestic workers' working hours are unregulated. Long working hours do not come with extra pay. Even their right to a weekly rest day is not assured.

This compounds the stress of having to live with their employers, some of whom deny them opportunities to leave the home and even take away their mobile phones, thus isolating the worker from social support and professional help.

Roots of the problem

In public policy, there is an over-prioritisation of employers' household needs over worker rights. Long working hours are commonly reported, yet the exclusion of domestic workers from the Employment Act leaves the authorities no real lever for intervention.

Domestic workers are supposed to enjoy one rest day per week, but the law does not define how many hours of free, personal time this means. Some workers have to complete household chores before they can go out, perhaps for just an afternoon.

Furthermore, employers and workers can mutually agree to trade away rest days for extra pay. In the light of power imbalance between them (see Fact Sheets 1 and 2) it is doubtful how workers can resist employers' requests to give up their rest days.

Although not common, some employers take away domestic workers' mobile phones and deny them opportunities to leave the residence. Such workers are at heightened risk of abuse since they cannot easily get information and help.

National framework

The governing legislation for domestic workers is the Employment of Foreign Manpower Act. It has no provisions regulating working hours.

Though it requires one rest day per week, it also allows employers and workers to trade it away.

There is no explicit prohibition against employers forbidding their workers from leaving the residence even during workers' off-duty hours, nor against taking away workers' mobile phones.

Recommendations from prior cycles

In the second cycle (2016), Germany and Austria recommended including domestic workers within the Employment Act. These recommendations were noted by Singapore.

Mexico urged strengthening of measures "to prevent [migrant workers'] exploitation and discrimination".

In the first cycle (2011), Philippines recommended "further improv[ing] working conditions of domestic workers". Canada urged "legal protection for migrant workers and enforce them, including with respect to wages and working hours". These were supported by Singapore.

Suggested recommendations

1. Include domestic work within the ambit of the Employment Act.
2. Amend legislation to make at least two rest days a month non-negotiable, so that they cannot be traded away, and prescribe a rest day to mean, at minimum, 24 continuous hours of free time.
3. Enact legislation that expressly prohibit employers from taking away migrant workers' communication devices.