

# Legal Obligations and Progressive Practices for hiring Foreign Domestic Workers

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MINISTRY OF  
MANPOWER

A Great Workforce A Great Workplace

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# Presentation Overview

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- **Foreign Worker Landscape**
- **Legal Landscape and Requirements**
- **Progressive Practices for FDW Hiring**

# Foreign Worker Landscape in Singapore

## Total Foreign Workforce

1.38m

~82% (1.13m)

Migrant Workers (Non-Domestic)

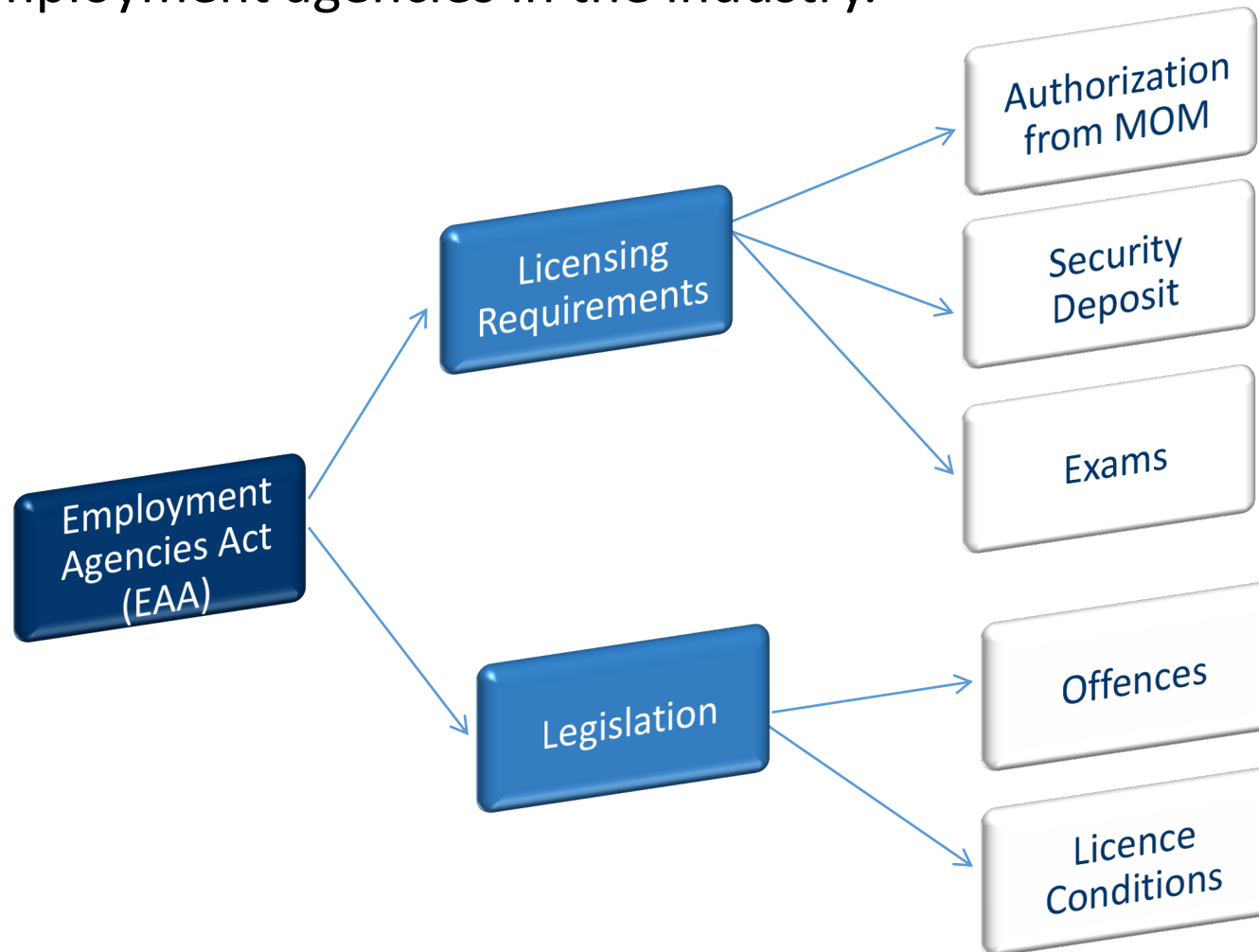
~18% (0.25m)

Foreign Domestic Workers



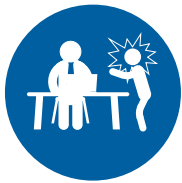
# Legislation for Employment Agencies (EAs)

- The Employment Agencies Act (EAA) was legislated to regulate employment agencies in the industry.



# Obligations on Employment Agencies (EAs)

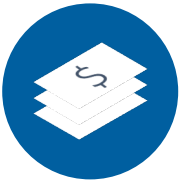
- As an intermediary for FDWs and employers, EAs are obliged under the Employment Agencies Act (EAA) to :



Obtain a licenses before performing EA work



Refund EA fees if workers are terminated within 6 months of employment



Ensure that fees collected from workers remain within the fee cap



Not divulge client's information without written consent



Issue itemised written receipts upon collection of fees from workers



Ensure that all FDWs meet the entry requirements

# Some Do's and Don'ts for EAs

## DOs

- Explain provisions of any form or document given to your clients and provide sufficient time for them to read through and clarify before signing.
- Fill in the form fully before a signature is sought.
- Educate your clients, both employers and FDWs on responsible employment practices, e.g.
  - FDW must keep her own Work Permit (WP) Card.
  - FDW's mobile phone is her personal property and she has a right to keep it, and to use it during rest hours.

## Don'ts

- Mislead or provide inaccurate information to your clients.
- Declare inaccurate contact details in the work permit applications.
- Facilitate downward revision of salaries or number of rest days without good reasons.
- Advise employers to make FDWs work without rest days.

# FDW entry requirements

- **Minimum Age & Education**

- 23 years old
- At least 8 years of education

Approved FDW sources:

*Bangladesh, Cambodia, Hong Kong, India, Indonesia, Macau, Malaysia, Myanmar, Philippines, South Korea, Sri Lanka, Taiwan, Thailand.*

- **Medical Examinations (within 2 weeks of arrival, and every 6 mths)**

- Screen for infectious diseases and for fitness to work

- **Insurance**

- Medical insurance: Minimum coverage of \$15,000
- Personal Accident insurance: Minimum coverage of \$60,000

- **Security Bond**

- \$5,000 bond to ensure a smooth stay and exit for the foreign worker
- Conditions include prompt payment of salary, payment of medical expenses, prompt repatriation



# Responsibilities of FDW Employers

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- FDWs are protected under the Employment of Foreign Manpower Act (EFMA). Under the EFMA, employers are to ensure :



Proper deployment of the FDW



Provide acceptable accommodation & safe working environment



Pay salary in a timely manner



Provide and pay for medical treatment, medical examination and medical insurance



Repatriate the FDW when employment is terminated and pay for the cost



# Choosing an EA

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Visit the EA Directory on the MOM website and look out for:

- Whether an EA has been issued with demerit points by MOM;
- Ratings by the EA's customers;
  - Given by employers who have engaged the services of the EA to recruit their FDWs. The aggregated ratings from the employers are published online to help prospective employers in their EA selection.
- The number of placements the EA has made in the past 12 months;
- The EA's FDW retention rates; and
- The EA's transfer rates.

# Selecting a suitable FDW

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1

Think about why you need an FDW (e.g. caregiving for an infant, young child, elderly person or housekeeping).

- Be realistic – you may never be able to find an FDW who can do everything you ask of her.

2

Read her biodata thoroughly. Ask your EA for any employment history she has in Singapore.

Interview and ask FDWs questions to verify the information given by the EA or in her biodata.

3

- Ask for her work experience to see if she is right for you and your family.
- Ensure that the FDW can speak a common language as you and your family so that she can understand your instructions.

# Typical Concerns of FDW Employers

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FDW needs a lot of coaching and close supervision

FDW unable to care of your children, or elderly, according to your expectations.

Communication difficulties - FDW speaks a different language.

FDW borrowing money



# FDWs with long service

## 为同一雇主帮佣21年 女佣获长期服务奖



洪雅蕊（右）同菲律宾女佣梅利塔获得新加坡劳务中介协会颁发的女佣长期服务奖。（饶进礼摄）

**FDW receives long service award for working for the same employer for 21 years**  
(ZB, 24 Feb 2018)

新加坡劳务中介协会昨日首次颁发女佣长期服务奖，表扬在同一户人家效劳15年以上的女佣，共有44人获奖，效劳最长时间的得奖者在同一户人家工作了29年。

陈劲禾 报道  
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梅利塔来自菲律宾伊莎贝拉省的卡瓦延市，1997年到新加坡当家庭帮佣。

刚到雇主家时，许多电器对她而言完全陌生。梅利塔不会作洗衣机，更是新奇的事物。“她纯真的工作。”

一家雇主效劳，这个家庭可说见证了从19岁的青涩少女转变为40岁成熟女性的过程。如今，她打理家务游刃有余，甚至被雇主称为管家，而不是女佣。

梅利塔回忆起到新加坡当女佣的决定时说：“非律宾的生活

过多年相处，梅利塔很清楚一家四口每个人的口味，也了解全家要求少糖少盐少脂肪的健康饮食习惯，更懂得安排菜色让大家都想回家吃晚饭。

梅利塔的一些拿手好菜包括虾面、马来椰浆饭、炒螃蟹、福建式薄饼等。

女佣长期为同一雇主效劳并不普遍。新加坡劳务中介协会引述去年发布的数据说，在一年

间及如何维持20多年的融洽关系，洪雅蕊以“宾主关系”个字来形容，这从雇主与女佣间的互动和沟通可见一斑。

例如，洪雅蕊及家人曾邀梅利塔与他们同桌用餐，但梅塔委婉表示自己比较喜欢在厨房用餐，大家便了解到她也需要点私人空间。

洪雅蕊说：“有时我们和

## Long-service award for 19 pairs of maids, employers



Filipina honoured as longest-serving maid, having worked for same family for 28 years

Shabana Begum

When Ms Maria Aida Procalla Somejo left her hometown in the Philippines in 1990 to become a foreign domestic worker in Singapore, she did not expect to end up with

tached to the youngest, said her employer's eldest daughter, Ms Choo Yuen Ling.

“Ever since my youngest sister started speaking, instead of calling her ‘Auntie’ like all of us do, she chose to call her ‘Mama’. When we said to her she had become a daughter,

**Long-service award for 19 pairs of maids, employers** (ST, 12 Feb 2019)

How do they achieve this?

# Communicate to FDW your expectations

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FDW will need time to adjust to our culture, people and pace of life and work. Some FDWs may also experience homesickness.

You can help her to adjust to working and living in your household by

1. Writing up a weekly or daily schedule for your FDW to follow, especially early on in her employment.
2. Giving clear instructions to minimise misunderstanding.
  - Demonstrations are useful for your FDW
3. Communicating house rules clearly to your FDW. E.g.
  - *when she can use her mobile phone*
  - *what time you would like her to be back on her rest days*
  - *what she can eat or cook for herself*

# Allow FDW to communicate with family and friends

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- Being able to communicate with loved ones will give FDW emotional support and help her feel closer to home.
- You may set house rules on the usage of hand phone or house phone
  - E.g. no talking on hand phone while performing chores that require her full attention such as cooking and attending to elderly/infants.
- However, do communicate these rules to her so that she knows your expectations.



# Keep your FDW safe



The two Indonesian maids of Willow Phua Brest (right) were spotted perched on a two-storey scaffold (above) at her Cluny Park home last year. The two maids were not trained to work at height. PHOTOS: ST FILE, WONG KWAI CHOW

## Woman fined for making maids work using scaffold

She pleads guilty to four counts of failing to provide safe working conditions for them

[Woman fined for making maids work using scaffold](#)  
(ST, 9 Aug 2018)

- FDWs are taught on how to hang laundry and clean windows safely at the one-day Settling-In Programme (SIP).
- However, each home environment is unique.
- Coach and ensure that your FDW continues to practice the workplace safety tips taught.
- Supervise her and ensure that she is not put in situations which endanger her life.

# Respect your FDW's privacy

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- Where possible, your FDW should be given a separate room of her own. If that is not possible, you should ensure that sufficient space and privacy are provided for your FDW.
- Some employers may want to install video recording equipment in their homes. If you choose to do so, you must inform your FDW of the video recording device and where it has been placed.
- Do not install CCTVs in areas that will compromise your FDW's modesty, for example, where they sleep, change their clothes, or the bathroom area.



# Allow your FDW to have her weekly rest days



FDWs are entitled to a weekly rest day, or compensation-in-lieu

- Most FDWs in Singapore do get at **least 1 rest day per month\***
- Most employers provide their FDWs with at **least eight hours of continuous break** from work

\*CDE's FDW Employer survey done in 2017, 70% of FDW employers indicated that their FDWs were able to go for their rest days

Rest days allow your FDW to get her mental and physical rest from work, and help her recharge.

- Consider ad-hoc rest days if you can't afford to give regular rest days

Encourage your FDW to take part in constructive and meaningful activities such as educational courses and skills training.

- Agency for Integrated Care; Aidha (<https://www.aidha.org>); Centre for Domestic Employees (<http://cde.org.sg>), Foreign Domestic Worker Association for Social Support and Training (<https://www.fast.org.sg>)

# Help your FDW open a bank account, and pay her salary electronically

## Maids can opt for POSB accounts when seeking work permits

Aw Cheng Wei

The Centre for Domestic Employees wants maids to set up bank accounts in Singapore – even before they arrive here to work – in a move to stamp out salary disputes in future.

The centre's chairman, Mr Yeo Guat Kwang, said a bank account keeps an electronic record of salary transfers, making it easier for maids and employers to keep track of payments.

“We want to be more active in

You must pay your FDW's salary in full every month

- You and your FDW must keep a record of when and how much salary was paid.
- You must not keep your FDW's money, even if your FDW requests you to do so

### Why e-payment of salary

- Convenient and maintains proper salary records.
- Help new FDWs apply for a bank account, such as the [POSB Payroll Account](#), during the Work Permit issuance process.
  - *Does not need to have a minimum deposit.*
  - *Does not need to maintain a minimum balance every month.*
- You should **not** open a joint bank account with your FDW.

# Measures in place to curb moneylending among FDWs



## Measures introduced by MinLaw and MOM

- Aggregate loan cap of \$500 for foreigners earning <\$10,000 a year
- Stem moneylending activities targeting at foreigners such as FDWs
- FDWs caught borrowing from unlicensed moneylenders to be debarred

Dozens of FDWs borrow from moneylending company (SM, 12 Apr, 2018)



## Foreign borrowers are mostly maids

New loan caps for foreigners will protect low-pay group amid surge in borrowing

Tan Tam Mei

terday although they could not provide exact figures. Pastor Billy Lee, executive director of Blessed Cross Social Services

gapore with no money and a mountain of debt to their agents... they shouldn't be borrowing any more money," he said, adding that many maids run into problems servicing their loans as their average salary is only about \$6,000 a year. The Ministry of Law (MinLaw) and Ministry of Manpower (MOM)

Foreign borrowers in Singapore are mostly maids (ST, 6 Oct, 2018)

# Employers should also educate FDWs on money management



## Maintain open communications with your FDW, including talking to her about managing her finances well

- Refer to the money management guide by MOM.
- Encourage your FDW to speak to you if she faces financial difficulties.

## You may wish to discuss self-exclusion from moneylending with your FDW

- Self-exclusion is voluntary, with a minimum exclusion period of 2 years.
- Before applying for self-exclusion, your FDW should consider her alternatives should she need money urgently.
- If your FDW wishes to apply for self-exclusion, you can apply on her behalf at [www.mlcb.com.sg](http://www.mlcb.com.sg)

### Needs



A "Need" is something you have to spend on to take care of yourself or your loved ones e.g. food, toiletries and sanitary items for yourself, your family's household expenses, education and medical expenses.

### Wants



VS

A "Want" is something that is nice to have but not necessary for you or your loved one's well-being e.g. the latest handphone, handbags, jewellery.



# Termination of employment & sending FDW Home

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- Early termination allowed to maintain flexibility for employer and FDW as circumstances may change.
  - Give notice of termination, or pay FDW her salary in lieu of notice according to terms in the employment contract.
- Settle all issues (e.g. outstanding wages and claims) before you cancel her Work Permit (WP).
- Buy FDW a direct air ticket to the international airport in her home country, nearest to her hometown
  - Employer must pay for air ticket and it must include check-in luggage.
  - If there are no direct flights and a transit is necessary, give a reasonable amount of allowance for FDW to sustain herself during her transit.
  - Discuss with FDW and agree on the transit arrangement and amount of allowance before purchasing the air ticket.

# Concluding Remarks

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## Fostering good & Harmonious working relationship

- Understand that FDW comes from a different background.
  - Different living and working environment.
  - Different way of doing chores.
  - Different language, culture and religion.
- Look after your FDW's emotional and mental well-being.
- Look out for signs of stress and depression exhibited by your FDW, and know where to seek help.

# Thank You