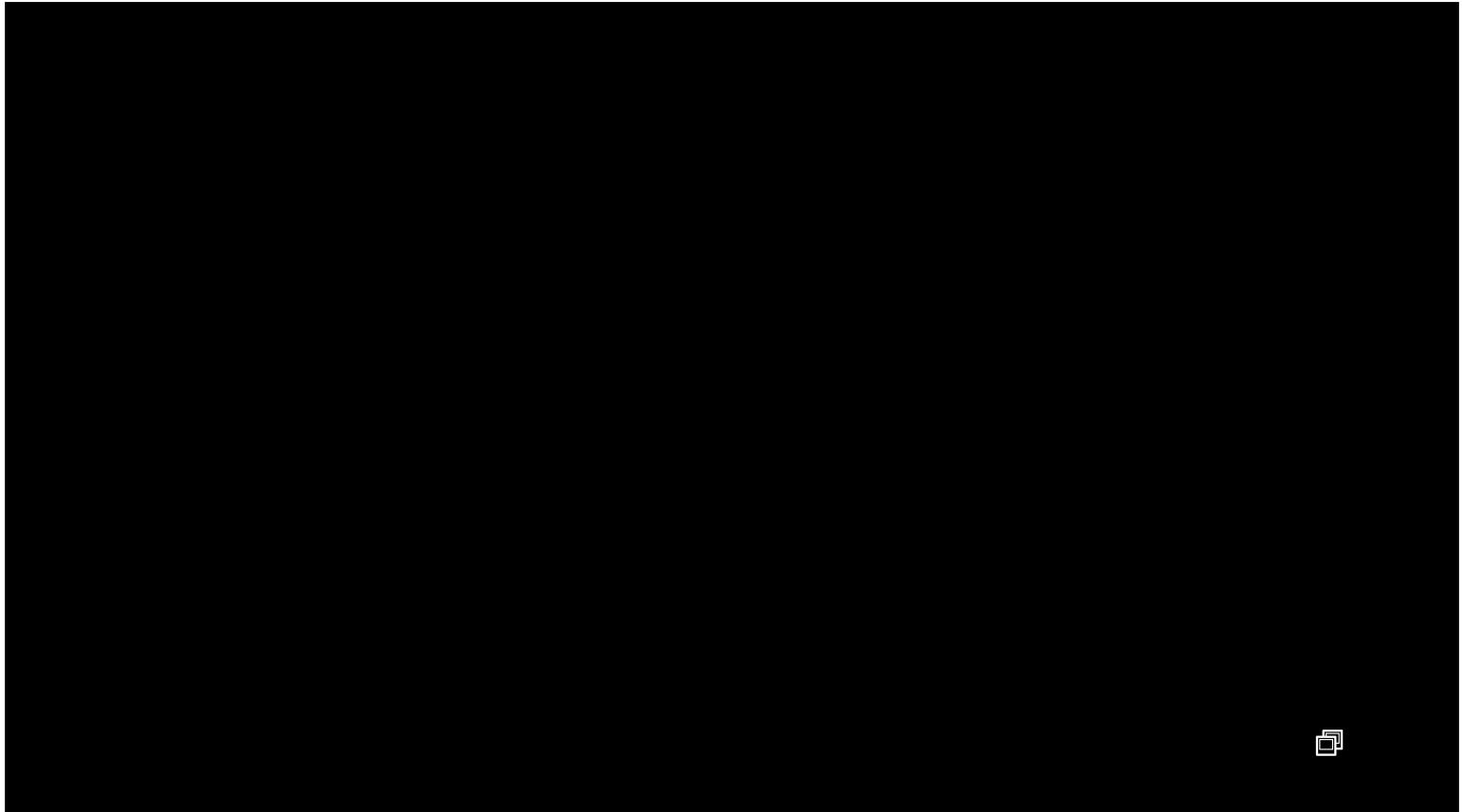


Singapore

## Asking foreign domestic workers to do extra work puts them in difficult position, not all lodge formal complaints with MOM: NGOs



Foreign domestic workers who are asked to do extra work find it difficult to speak up or lodge a complaint with the Ministry of Manpower (MOM) because they are scared to lose their employment or be repatriated, said non-governmental organisations. Chloe Choo with more.

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SINGAPORE: Foreign domestic workers who are asked to do extra work find it difficult to speak up or lodge a complaint with the Ministry of Manpower (MOM) because they are scared to lose their employment or be repatriated, said non-governmental organisations.

Organisations CNA spoke to said many foreign domestic workers who reach out to complain or ask for help are aware of their rights, and what they are and are not allowed to do based on their work permits and contracts.

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However, despite knowing that their employers should not be asking them to do additional work outside of work permit guidelines, some foreign domestic workers may not always want to lodge a complaint.

"Domestic workers who call our helpline about being made to work beyond their place of residence may not wish to lodge a complaint as they are afraid that they would lose their employment," said Ms Jaya Anil Kumar, a case manager at the Humanitarian Organisation for Migration Economics (Home), citing a "power imbalance" that exists between these workers and their employers.

"Some of them are also afraid of being investigated themselves," she added.

Some domestic workers are also worried that they will be repatriated by their employers, said Ms Seira Ong, a senior executive in Befrienders and Volunteer Management at the Foreign Domestic Worker Association for Social Support and Training (FAST).

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If that happens, it will be difficult for them to return to Singapore, especially amid the COVID-19 pandemic, she said.

"Another one is that they're scared of being blacklisted by their employers or being scolded (and told) 'you are not doing your job right'," Ms Ong added.

▶ [READ: Parti Liyani, former maid of CAG chairman, cleared of last remaining charge \(/news/singapore/parti-liyani-former-maid-of-cag-chairman-cleared-of-last-charge-13091074?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)

▶ [READ: Parti Liyani case: Shanmugam says 'something has gone wrong' in chain of events, urges people not to 'prejudge' review \(/news/singapore/parti-liyani-changi-airport-group-chairman-maid-shanmugam-13091378?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)

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Domestic workers are also scared of voicing their complaints directly to their employers because they are afraid the employers will think that they are complaining or trying to slack off, said Ms Ong.

This is especially true for foreign domestic workers who care for people who “are not able to mentally be aware that they are mistreating” them, she said, citing patients with dementia as an example.

#### **"DIFFICULT" FOR WORKERS TO REFUSE TASKS**

When the foreign domestic workers are deployed to their employers, employment agencies go through the contract and request for the employer to confirm the domestic worker’s job scope in writing, said president of the Association of Employment Agencies (AEAS) K Jayaprema.

This could include having to follow young children or elderly parents to different addresses.

When the domestic worker is made to take on extra tasks, the "family environment" could make it difficult for them to refuse, said Ms Jayaprema.

“I would say that it’s very difficult to be in a situation where a domestic worker follows the employer and refuses to clean the place or wash the house.

“It’s a very blurred thin line here, unlike the formal sector where it’s very clear. If I work in this company I’m not supposed to work in another company, it’s very obvious. But I think that’s where we ought to educate the employers in terms of how far this can go.”

According to Ms Jayaprema, employment agencies “make it very very clear” that the domestic worker’s job scope is limited to the ward that is under their charge and this is established by the agencies when the workers are deployed.

## **COMPLAINTS "PREVALENT"**

Calls from foreign domestic workers complaining about being made to do extra work are “prevalent” and agencies will then highlight again to employers that this is an issue of illegal deployment.

“For the employment agencies, the focus is more to advise the employer if they do hear that the girls have gone beyond just caring for that person or doing things that surround that person,” said Ms Jayaprema.

“There are issues like - should the domestic worker be washing the toilet? Mopping the house of the other family? Then it’s a clear no-no, they’re not supposed to.”

About one in four domestic workers who approach HOME say they have been asked to do work beyond their place of residence, or in the employer’s office or business, said Ms Jaya.

A small number of these cases gets taken up by MOM for investigations and the total number of complaints has remained “quite consistent” over the years, she added.

“Illegal deployment essentially exploits the domestic worker as it makes her take on additional work, and leads to overwork and fatigue as they have to manage the workload in both places. Domestic work is usually physically demanding and involves long hours,” said Ms Jaya.

About 10 to 15 per cent of calls from domestic workers received by FAST are for matters related to extra work or being unable to cope with their workload, said Ms Ong.

FAST gets about 200 to 300 calls in total per month, double from before the COVID-19 pandemic, and about 30 per cent of these calls are relayed to MOM, she added.

“We have received quite a number of cases whereby the helpers are actually tasked by their employers to provide additional cleaning and caregiving to the other members of families like the employer’s mother or even employer’s father-in-law,” she told CNA.

## **ACTION TAKING AGAINST ERRANT EMPLOYERS**

In a [statement on Tuesday \(/news/singapore/mom-response-parti-liyani-illegal-deployment-complaint-13092854\)](#) (Sep 8) night, the Manpower Ministry said it received an average of 550 cases of complaints on the illegal deployment of foreign domestic workers each year between 2017 and 2019.

Some of these cases warranted further action, said MOM. From 2017 to 2019, the Manpower Ministry took action against 155 employers on average each year for illegally deploying their foreign domestic workers.

 Of the 155 employers, an average of about 60 each year were issued with an advisory notice while 80 were issued with a caution notice, similar to a stern warning by the police. Another 16 employers on average each year were issued with financial penalties between S\$3,300 to S\$24,000.

► **[READ: Average of 16 employers fined over last three years for illegally deploying their foreign domestic workers - MOM \(/news/singapore/mom-response-parti-liyani-illegal-deployment-complaint-13092854?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](/news/singapore/mom-response-parti-liyani-illegal-deployment-complaint-13092854?cid=h3_referral_inarticlelinks_24082018_cna)**

"FINE LINE"

There is “a fine line” between providing extra care for children or elderly people who may stay at a different address, which is permitted in the day under the work permit conditions laid out by MOM, and doing additional work like chores, said Ms Ong.

“Sometimes we understand there’s an increase in the need for caregiving, especially with COVID-19 and everything, there may be employers who may be working extra long hours. Or they are just short-handed, they can’t hire one more extra helper. So to maximise they get the helper to actually double up at two places.”

However, employers should take note of the time limit, since it is allowed but only in the day, she stressed.

The illegal deployment of foreign domestic workers has been in the spotlight after Ms Parti Liyani, formerly employed by Changi Airport Group chairman Liew Mun Leong, was acquitted of stealing from the family.

The court heard that she was asked to clean the home and office of Mr Karl Liew, Mr Liew Mun Leong's son, on “multiple occasions”. This contravened certain MOM regulations, the judgment said.

According to MOM guidelines, a foreign domestic worker can only work at the residential address stated in the work permit. However, they can be placed at another address during the day to take care of the employer’s young children or elderly parents.

The Liew family decided to terminate Ms Parti’s employment after suspicions that she was stealing from the family. While packing, Ms Parti threatened to lodge a complaint with MOM about being asked to clean Mr Karl Liew’s home and office, the court heard.

The High Court later ruled that the family had hoped she would not use that time to make a complaint to MOM. The termination of employment was a "pre-emptive first step", Justice Chan Seng Onn had said.

► **[READ: Timeline: How former maid Parti Liyani was acquitted of stealing from Changi Airport Group chairman's family \(/news/singapore/timeline-changi-airport-group-cag-chairman-maid-parti-liyani-13089208?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](/news/singapore/timeline-changi-airport-group-cag-chairman-maid-parti-liyani-13089208?cid=h3_referral_inarticlelinks_24082018_cna)**

**▶ [READ: Maid acquitted of stealing from Changi Airport Group chairman's family hid her ordeal from her family \(/news/singapore/parti-liyani-changi-airport-group-chairman-maid-liew-mun-leong-13084796?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)**

## OPEN COMMUNICATION AND MEDIATION

Both FAST and HOME offer to speak to employers on behalf of the foreign domestic workers if requested to do so. According to Ms Ong, this is the most popular request from the calls FAST receives from foreign domestic workers.

“Some employers we have met, some are really supportive. And once we tell them ‘actually, they are not supposed to do that’, it clicks within them,” said Ms Ong, adding that employers then apologise for forgetting the limits of the work permit.

“In case there's any dispute over chores and matters like that, we can always resolve it through mediation, but that is provided that all parties are willing to join. Because sometimes employers, they are busy and they are not willing to come so the mediation cannot go through.”

In dealing with the problem, FAST encourages foreign domestic workers who come to them for help to have “open communication” with their employers.

“Even though they are scared, it is good to inform the employers about it because sometimes the employers don't purposely (make them do additional work),” said Ms Ong, adding that employers may forget about the rules and unknowingly give additional tasks to the workers because they happen to be at home.

If they are worried about speaking to their employers, domestic workers are also advised to approach their employment agencies.

“Because for this employer-employee relationship to work, it takes both parties to accommodate and work together with each other, so it can't always be the helper that is giving in.

“We do tell them to say no, but say no in a more polite way. Not just ‘no I cannot do’. That sometimes rubs off the wrong way with some employers,” said Ms Ong.

She also urged employers to be more receptive and understanding, seeing that they may take complaints personally if these are not communicated well, leading to a “very big ugly situation”.

**▶ [READ: CAG chairman's wife cautioned, son given advisory in 2018 after maid complained about illegal deployment: MOM \(/news/singapore/changi-airport-group-chairman-maid-acquit-illegal-deployment-mom-13086908?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)**

**▶ [READ: Judge's findings ‘raise questions’ that warrant further investigations after maid acquitted of stealing from CAG chairman's family: AGC \(/news/singapore/changi-airport-group-chairman-maid-acquit-court-agc-judge-cag-13086648?\)](#)**

HOME's Ms Jaya said: "FDWs should be entitled to refuse any work that is a contravention of work pass regulations or which is exploitative. FDWs who are afraid of their employment being jeopardised can reach out to HOME to assist in mediation with their employers."

For those that call HOME's helpline and request that the organisation speaks to their employers, the organisation can mediate by explaining to employers why the deployment is illegal and exploitative.

The organisation also assists domestic workers who go to their shelter to submit complaints about illegal deployment to MOM.

Domestic workers who are assisting the Manpower Ministry in investigations are usually put under the Temporary Job Scheme and allowed to seek employment, said Ms Jaya.

However, domestic workers themselves can be found culpable after investigations are over, given that working beyond the place of residence is a contravention of the work pass regulations under the Employment of Foreign Manpower Act, she added.

"HOME has encountered domestic workers who have been given warning letters and periods of blacklisting for such offences. If the investigations are closed and the employer is not penalised, the domestic worker either continues with her employment (if she has found another employer) or goes home.

The Manpower Ministry "takes a stern view" of cases where foreign domestic workers are made to do non-domestic work or work in commercial premises, it said in its statement on Tuesday.

"It would be especially egregious if the FDWs are overworked and not provided with adequate rest," the statement read, adding that employers can be fined up to S\$10,000 per count and will also be debarred from hiring foreign domestic workers.

Foreign domestic workers can report illegal deployment or other employment difficulties to MOM. "They do not have to wait till they have left employment," said the ministry, urging domestic workers who are unsure if their deployment is lawful to contact the MOM foreign domestic worker helpline.

Source: CNA/hw(hs)

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