

Transient Workers Count Too

Monday, 5 March 2012

Transient Workers Count Too (TWC2) welcomes the announcement by the Ministry of Manpower requiring a weekly rest day for foreign domestic workers (FDW). TWC2 has been advocating this ever since we started in 2003 and is pleased that this significant move forward is now being taken. Over the years, we have taken every opportunity to highlight the issue and to raise pro-day off arguments in meetings, consultations and the media.

Said Dr Noorashikin Abdul Rahman, TWC2 vice-president: "We welcome this news by MOM and are very pleased that the legislation will be introduced for 2013. This has been long overdue and signifies the first step to put domestic workers on par with other workers who contribute to our economy significantly."



TWC2 believes that everyone should have a right to time off. It is essential to the mental and physical health of human beings. A weekly day off can provide a chance for a domestic worker to have a change of scene, to relax and to see friends. If they are interested, there are an increasing number of courses available for them to learn new skills that will be useful in the future. For those who are experiencing problems, this is also an opportunity to seek help and advice.

We note that the new provision will come into effect on 1st January 2013. However, as Dr Noorashikin points out, "Whilst I recognize the need to phase in the legislation to give enough time for employers to make the necessary preparation, I would strongly urge MOM to consider that the new legislation should also cover all domestic workers and not only those who are hired from January 2013 onwards. Otherwise, there will be quite a significant population of

domestic workers who will have to wait for a considerable amount of time before they have access to this basic labour right. It should also be made clear what the penalty would be if employers do not oblige by the new legislation so that those who are inclined to take this new law lightly will be more wary of the consequences of doing so."

The new rule will allow workers to be compensated for not taking days off, if that is agreed between a worker and her employer. TWC2 believes that flexibility is needed for both parties to allow, for example, for occasions when families have big celebrations or family members fall ill and the worker's assistance is needed on her usual day off, but it is our view that at least half of all weekly days off should be taken and not surrendered on any terms, so that the workers' health and rights are adequately protected.

We are aware that many employers will object and that there are some domestic workers who will say that they would rather be compensated than take days off. We believe that most

employers can cope very adequately without having a domestic worker on call all day, every day and that there is no valid reason for denying domestic workers a right that almost everyone else takes for granted. Where there are pressing needs, such as support for an aged and infirm relative or a disabled person in need of constant care, a mixture of family care and social provision is the way forward: domestic workers handling such a role are particularly in need of rest and a break.

When domestic workers first arrive in Singapore, most are expected to pay their placement costs through monthly salary deductions by their employers, and these can account for the first 8 – 10 months of their pay. In these circumstances, it is understandable that many will seek to maximise their incomes to bring forward the day when they can send money back to their families. Eight to ten months is a long period to go through without a day off and it is an issue we believe needs to be tackled, preferably by reducing the costs of placement to workers, rather than maintaining a 'no day off' status, even one that is compensated for financially.

When the placement costs have been recovered, the pressure is off and most workers would want a day off. In this connection, certain refinements may still be needed to give substance to the weekly rest day policy.

One is that FDWs should be given a copy of any contract they have signed, with an additional copy lodged with a third party. This would lessen the risk of misunderstanding as to what had been agreed.

Another is the need to put in place measures to shield workers from undue pressure to give up their rest days (even if paid in lieu). Here is where requiring at least half of all weekly days off to be taken and not surrendered on any terms, may act as a useful buffer.