

A stylized illustration in a dark red color against a light beige background. It depicts a person from the waist up, with their arms raised and hands tied behind their head. The person's torso is visible, and the overall style is graphic and minimalist.

LICENSE TO EXPLOIT

A Report on the Recruitment
Practices and Problems
Experienced by
Filipino Domestic Workers
in Hong Kong

LICENSE TO EXPLOIT:

**A REPORT ON THE RECRUITMENT PRACTICES AND PROBLEMS
EXPERIENCED BY FILIPINO DOMESTIC WORKERS IN HONG KONG**

(First of Three Reports, First Edition, October 2013)

*Based on the participatory action research and baseline survey
undertaken by the Alliance of Progressive Labor-Hong Kong (APL-HK)
and the Progressive Labor Union of Domestic Workers in Hong Kong (PLU)
in November-December 2012 in Hong Kong*

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DEDICATION

To all the migrant workers, particularly the domestic workers from the Philippines who toil in other countries by dutifully serving their foreign employers to help provide for their hard up families at home, and whose remittances also help in propping up the struggling Philippine economy.

In particular, this book is dedicated to all Filipina domestic migrant workers in Hong Kong, where this study was conducted.

Through the services and dedication of the migrant domestic workers, their foreign employers are assured that the latter's families are well taken care of, enabling these employers to focus on their jobs or businesses and thus contribute to the stability and prosperity of the migrant-employing countries.

It is therefore our fervent wish that the migrant domestic workers, as well as all overseas Filipino workers (OFWs), to eventually be granted all the respect and dignity they rightfully deserve, and to enjoy full labor and trade union rights – that other workers have – even in the foreign countries they work in.

Even right here in the Philippines, the migrants deserve better government services and protection, not merely lip service like the much-ballyhooed "honor" bestowed on the OFWs as the *mga bagong bayani* or "modern heroes." The government, for instance, has to guarantee the very basic first-line of defense for the migrants: eradicating unscrupulous recruiters and recruitment agencies and unjust work contracts, which perpetrate the "license to exploit" the hapless overseas workers.

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Acronyms:

AMC	Asian Migrant Center
ANOVA	Analysis of Variance (F-test)
APL	Alliance of Progressive Labor (Philippines)
APL-HK	Alliance of Progressive Labor-Hong Kong
C189	ILO Convention No. 189 Concerning Decent Work for Domestic Workers
CEDAW	International Convention on the Elimination of Discrimination Against Women (UN)
CERD	Convention on the Elimination of Racial Discrimination (United Nations)
CMA	Center for Migrant Advocacy (CMA)
CMR	Coalition for Migrants' Rights
CMW	Convention on Migrant Workers or formally – International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (United Nations, 1990)
DOLE	Department of Labor and Employment (Philippines)
DWs	Domestic workers
EAA	Employment Agencies Administration (Hong Kong)
FADWU	Federation of Asian Domestic Workers' Unions (Hong Kong)
FDHs	Foreign domestic helpers (other term used to describe FDWs)
FDHGU	Filipino Domestic Helpers General Union (Hong Kong)
FDWs	Foreign domestic workers (interchangeably used with MDWs)
GB	Governing Board (of POEA)
GR	General Recommendation (issued by CEDAW Committee)
HK	Hong Kong (same as HK SAR – HK Special Administrative Region)
HKCTU	Hong Kong Confederation of Trade Unions
HSW	Household service worker (official term used by Philippine government to refer to domestic worker; interchangeably used with DW, MDW and FDW in this report)
ICESCR	International Covenant on Economic, Social and Cultural Rights (United Nations)
IDWN	International Domestic Workers' Network
ILO	International Labor Organization
MAW	Minimum Allowable Wage (for MDWs in Hong Kong; not to be confused with SMW)
MDWs	Migrant domestic workers (interchangeably used with FDWs)
MFA	Migrant Forum in Asia
NCS	New Conditions of Stay (immigration policy for MDWs in Hong Kong)
NGOs	Nongovernment organizations
OFW	Overseas Filipino worker
PAR	Participatory action research
PCG	Philippine Consulate-General (in Hong Kong)
PH	Philippines

PHP	Philippine peso (currency)
PLU	Progressive Labor Union of Domestic Workers in Hong Kong
POs	People's organizations (including trade unions and other mass/sectoral groups)
POEA	Philippine Overseas Employment Administration
RA	Republic Act (Philippine statutory law)
SAR	Special Administrative Region (of China, e.g. Hong Kong, Macau)
SMW	Statutory Minimum Wage (in Hong Kong)
SPSS	Statistical Package for the Social Sciences (computer software)
TESDA	Technical Education and Skills Development Authority
UN	United Nations
ZPF	Zero-placement fee (policy of the POEA)

Foreign Exchange Rates Used:

(Source: www.oanda.com, 4 April 2013)

HK\$ 1 =	PHP 5.25
US\$ 1 =	PHP 40.60
US\$ 1 =	HK\$ 7.76

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EXECUTIVE SUMMARY OF THE STUDY

The Alliance of Progressive Labor (APL) and Progressive Labor Union of Domestic Workers in Hong Kong (PLU-APL) are currently doing participatory action research on recruitment practices and problems confronted by Filipino domestic workers going to, or working in, Hong Kong. This is part of a comprehensive campaign on recruitment problems and violations that is being undertaken by PLU and its partner organizations in the Philippines (APL) and Hong Kong (HKCTU, IDWN, etc.).

The first phase of the action research was a baseline survey last November-December 2012 among Filipino DWs in Hong Kong, and this is the executive summary of that survey. (Phase 2 of the three-part research, which will follow soon, will do further study, validation and verification of the survey results.)

MAIN OBJECTIVES OF THE SURVEY

The main objective of the survey was to get baseline data among Filipino DWs in Hong Kong in order to have in-depth analysis of the recruitment problems, practices, policies, patterns and critical factors in the Philippines and Hong Kong. Based on this study, recommendations and action proposals on recruitment will be made by the DW groups and trade unions. These recommendations will in turn be presented to the Hong Kong and Philippine authorities for appropriate actions.

SAMPLING AND METHODOLOGY

The survey interviewed more than 1,500 Filipino DWs all over Hong Kong in November to December 2012. The sample size, based on Slovin's formula, has a margin of error of +/- 3%. The respondents were chosen using multistage sampling (cluster and systematic sampling).

MAIN RESULTS AND CONCLUSIONS

1. The average characteristics of the respondents (Filipino domestic workers) are:
 - a. She is a woman, 36 to 37 years old.
 - b. She has college-level education; married or has a family/partner, or been widowed/separated.
 - c. She has been in Hong Kong for almost six years (i.e. on her 3rd domestic worker contract).
 - d. She has a female Hong Kong Chinese employer; and serves 3-4 people in the household.
 - e. She receives a monthly salary of HK\$3,743, which is slightly above the minimum. This compares favorably with the HK\$3,501 average wage in 2004 (AMC/CMR 2004 study);
 - f. She gets almost all of her weekly days off (3.9 days per month), but enjoys only less than 14 hours of the 24-hour weekly day off required by law.
 - g. She gets 10 to 11 statutory holidays per year, short of the 12 days legally mandated.
 - h. She works, on average, 15.6 hours per day; this is slightly longer than the 2004 average of 15.3 hours. Most frequently, the work starts at 6:00 a.m. and ends by 11:00 p.m.
2. Recruitment channel:
 - a. The big majority or 88% of respondents paid/used a recruitment agency; the remaining 12% were directly hired by the employer, sought work on their own, assisted by friends/relatives, or went through POEA/government channels.
 - b. Among those who used recruitment agencies, the majority (58%) used agencies both in the Philippines and Hong Kong; 25% used agencies in the Philippines only; and 17% used agencies

in Hong Kong only.

3. Financing the recruitment cost – More than 2/3 (68%) had to take some kind of loan (from banks, financing agency, relatives or friends, or advanced by recruitment agencies) to pay the recruitment costs.
4. Names of recruitment agencies:
 - a. The respondents named a total of 435 recruitment agencies that they paid/used in going to or continuing their work in Hong Kong – 245 agencies in Hong Kong and 190 in the Philippines.
 - b. Twenty-five of the 245 agencies in HK are the most frequently used by the respondents. These 25 agencies (10% of all agencies in Hong Kong) handle almost half (44%) of the recruitment processing in Hong Kong. Many of these top agencies are also the most used agencies by Indonesian DWs in Hong Kong (2007 AMC, et. al research).
 - c. The Top 9 among the 245 most used Hong Kong agencies are: Emry's, Technic, Overseas Employment, Top Maid, Suntec, Aura, Sincere, Further Creation and Premiere Nannies. These nine agencies handled more than a quarter (28%) of the recruitment processing of all the respondents.
 - d. Forty-three of the 190 agencies in the Philippines are the most frequently used by the respondents. These top 43 agencies (23% of total) in the Philippines processed the recruitment of the majority (58%) of all the respondents.
 - e. The top 14 most used agencies in the Philippines are Ascend, All-Pro Staffing, God's Will, Skytop, STD Manpower, Altima, Find Staff, James International, ABC Manpower, Angelex, Gammon International, King's Manpower, Mariz and Visayan Consolidated.
 - f. If the top agencies reflect actual market conditions, this may suggest a significant or dominant role of this small group of agencies in Hong Kong and the Philippines.
5. Recruitment cost is a central problem among the DWs:
 - a. Average agency charges in Hong Kong: PHP42,647 or HK\$8,123 (P5.25: HK\$1.00)
 - b. Average agency charges in the Philippines: PHP74,433 or HK\$14,178
 - c. Additional costs (on top of above agency charges): average of PHP6,853 or HK\$1,305
 - d. Total recruitment cost (sum of all the above): average of PHP80,736 or HK\$15,378
6. These recruitment costs collected by agencies in Hong Kong and the Philippines are excessive and illegal – blatant, widespread and persistent violations of recruitment laws in Hong Kong and the Philippines:
 - a. The Hong Kong Employment Ordinance (Part XII) and Employment Agency Regulation, which have been in place since 1968, allow recruiters to collect a commission not exceeding 10% of the first month's wage once the DW or job-seeker gets a job. The fee should not be collected in advance. But the average agency charges in Hong Kong are more than 20 times the 10% limit and more than 2 months of the minimum allowable wage (MAW).
 - b. The Philippine Overseas Employment Administration (POEA), the body mandated by Philippine law to regulate recruitment agencies, declared in 2002 that the amount of fees should not exceed one-month's wage of a migrant worker. In 2006, this was replaced by the "no placement fee" policy. But the average agency charges in the Philippines is still 36 times the 10% limit in HK and 3.6 months of MAW – a flagrant violation of both Hong Kong (10% limit) and Philippine (zero placement) regulations.
 - c. Around 90% of the respondents paid more than the 10% limit in Hong Kong; almost half of the respondents paid above the Hong Kong average fee of HK\$8,123. Among those who paid the agencies in the Philippines, the majority or 58% paid above the Philippine average of HK\$14,178. Therefore, the violation is widespread in both places.
 - d. It is significant to note that 10% of the respondents paid below the 10% limit in Hong Kong, which corresponds to 17 agencies in Hong Kong (7% of the 245) that comply with the 10% law.
 - e. The data also show that the excessive and illegal agency charges have persistently increased over the years, both in the Philippines and Hong Kong. But the yearly increase is faster in the Philippines despite the 2002 and 2006 POEA regulations.

7. Aside from extortionate recruitment costs, DWs also suffer from many other unfair practices of recruitment agencies, which further make them more vulnerable to abuse and exploitation in Hong Kong:
 - a. Minimum wage – More than 14% of respondents were told by agencies either in Hong Kong or the Philippines to accept wages below the MAW, although this is illegal under Hong Kong laws. Respondents identified 40 agencies in Hong Kong (16% of the total agencies in Hong Kong) and 37 agencies in the Philippines (19% of total) that tried to offer them wages below MAW.
 - b. Information on Hong Kong laws, working conditions, redress channels, support groups – More than 1/3 of the respondents (36%) were given wrong or outdated or no information at all. This involved 128 agencies in Hong Kong (52% of total agencies) and 109 agencies in the Philippines (57% of total).
 - c. Mandated DW benefits – Almost 10% of the DWs were told by recruitment agencies that they will not get one or several of the mandated DW benefits (e.g. days off, statutory holidays, insurance paid by employer, etc.). This involved 92 agencies in Hong Kong (38% of total) and 80 agencies in the Philippines (42% of total).
 - d. Personal documents (passports, IDs, bankbooks/ATMs) – Less than 5% of the DWs were asked by the agencies to surrender any of these documents, aside from passports. However, a higher 11% were demanded to hand over their passports, which is illegal under Hong Kong and Philippine laws. This involved 70 agencies in Hong Kong (28% of total) and 71 agencies in the Philippines (37% of total). The passports or documents given to the agencies were kept for an average of 3.5 months; some as long as 2 years.
 - e. Other restrictions imposed by the agencies – Almost 10% of the DWs were told by the agencies not to join any organization that conducts protest actions. A higher 22% were told not to complain or “create any trouble” by complaining. Involved in this type of practice are half of all agencies in Hong Kong (122 agencies, or 50%) and majority of agencies in the Philippines (105 agencies, or 55%).
8. The research has created a “scorecard” for each of 245 agencies in Hong Kong and 190 agencies in the Philippines regarding their recruitment practices or violations. These scorecards have been standardized (z-scores) for all the problem/violation categories for all the agencies. All agencies have all also been assigned overall “recruitment practices index” and ranking. The top-ranked agencies (i.e. those with worst recruitment violations and practices) have been listed for Hong Kong and the Philippines. The list will be submitted to the Hong Kong and Philippine authorities for further verification and validation of information. APL, PLU and other partners will work on their own and with the authorities in trying to establish if any of the agencies can be held liable for any of the said violations on recruitment and other labor laws.
9. The blatant, widespread and persistent violations of recruitment and other related laws in Hong Kong and the Philippines – exorbitant fees, unfair labor practices, denial of “protection measures” – reflect the pitiful efforts of both the Philippine and Hong Kong authorities to strictly enforce the laws. It also indicates lack of coordination between the two governments on dealing with recruitment problems; in fact, there is currently no bilateral agreement addressing this issue. On the part of POEA, this can partly be due to the previous “deregulation” policy of the government (1995 law) intending to totally remove POEA’s role in recruitment regulation. This policy was supposedly repealed in 2007 and POEA is now mandated to strengthen its regulatory functions. Therefore, now is the best time for each government to strengthen enforcement of recruitment laws, and for both governments to enhance their collaboration on this matter, including a bilateral agreement against illegal recruitment.

KEY RECOMMENDATIONS

1. Strengthen the recruitment regulatory functions of the concerned government agencies in Hong Kong (Employment Agencies Administration or EAA) and the Philippines (Philippine Overseas

Employment Administration or POEA).

- This should include effective capacity to crack down and punish employment agencies for recruitment violations, especially in collecting excessive fees and other illegal recruitment practices.
 - Review the concept of placement/agency fees to prevent the agencies from circumventing the allowed maximum amount of fees.
 - Develop cooperation among DW organizations and trade unions in Hong Kong and the Philippines so that collective monitoring, action, policy and other strategies can be more effectively undertaken. For instance, create a Task Force where DW groups and trade unions are brought together to address these recruitment problems.
 - Recognize DW groups and trade unions not only as “dialogue partners” but as legal representatives or advocates as well of DWs in filing complaints and seeking redress from unscrupulous agencies.
2. Impose stiffer penalties especially against the worst-practicing agencies revealed in this research after verifying their illegal practices.
 3. Strengthen and ensure the enforcement of the agency fee laws/regulations in the Philippines and Hong Kong (e.g. 10% limit in Hong Kong and the zero-placement fee policy in the Philippines), including improving mechanisms that would stop the practice of demanding excessive agency fees.
 4. Create, enhance and strengthen “direct hire” channels for DWs – i.e. not using recruitment agencies or any third party intermediaries, whether individuals or groups – so that recruitment agencies do not monopolize or create cartels that exploit the recruitment process. This type of channel can be offices authorized by POEA to process the visa or employment papers of the DWs. This channel or process has long been used by other skilled or professional migrants, and should now be made available also to DWs
 5. Maintain and make more accessible the listing of Hong Kong and Philippine government of licensed as well as punished or blacklisted agencies, including posting the list online (like in the POEA’s website) and in major newspapers. Include here the pertinent information on the partners or principals of both Hong Kong and Philippine agencies, as well as keep up updates on the status of the agencies, which can likewise guide current and prospective DWs on what agencies to choose and to avoid.
 6. Conversely, agencies with good record will definitely gain from the said list. They would represent the agencies that maintain good labor practices and comply with the laws. These agencies could even formulate a jointly-agreed code of practice (or code of conduct), which should serve as a model or reference in accrediting and certifying agencies on their adherence to recruitment regulations in Hong Kong and the Philippines (similar to tourism and “no fake” accreditation schemes).
 7. Require frontline recruitment agency staff in the Philippines to undergo mandatory (at least annual) competency or basic seminars/trainings on recruitment laws, labor and trade union rights, working conditions, redress channels, support groups and related knowledge. These should be specific to the jobs and destination countries covered by their recruitment activities. For agencies in Hong Kong, accreditation by the Philippine Consulate should also require such competency certification.
 8. The Hong Kong government should adopt the ILO Convention No. 189 (Decent Work for Domestic Workers) to make the laws and practices in this China’s territory consistent with international standards. The Philippine government has already ratified this Convention in 2012, and thus obligated to implement its provisions, including its stipulation on “no recruitment fees.” The mutual or bilateral adoption of the Convention will create stronger legal channels and will

make stronger the commitments to ensure the well-being and protection of domestic workers, including no-nonsense campaign against illegal recruitment and other unjust practices on DWs.



I. INTRODUCTION

This report highlights the results of the action research done by the Alliance of Progressive Labor (APL) and Progressive Labor Union of Domestic Workers in Hong Kong (PLU) in Hong Kong in November-December 2012. This is the first of three reports that will be released based on that research. This first report focuses on the recruitment experiences, issues and problems encountered by Filipino domestic workers destined for Hong Kong.

A. Nature, Methodology, Coverage, Limitations of the Research

Nature

The research project was undertaken by APL/PLU as a descriptive, qualitative research using the participatory action research (PAR) approach – i.e. the research is part of a broader action plan on domestic workers' issues; the APL/PLU members themselves are involved in the design, information gathering, survey, analysis and processing of the results; and the process is under the guidance of a lead researcher. For the survey portion of the research, the results were given back to APL/PLU for final conclusions, recommendations, and action planning. This report will in turn be used for follow-up, further investigation and verification, advocacy, and campaign on the issue.

The baseline survey, on which this report is based, is the first phase of the research as it analyzes the experiences and problems related with the recruitment process. The findings and recommendations will be used in the second phase of the study, which will do more purposive and in-depth verification, follow-up, interviews, investigation, analysis and discussion with key industry players and informants (Philippine and Hong Kong government agencies, recruitment agencies, domestic worker organizations and support groups, etc.)

Methodology

In line with the PAR approach, the concept, objectives, statement of the problem or key questions, nature and other elements of the research were discussed and decided by APL/PLU. Based on these, the lead researcher drafted the research design, sampling plan for the survey, methodology, timeline, budget, etc., which were finalized with APL/PLU. Research training needs of APL/PLU members were identified, and research consultations, orientation and training for the survey were conducted.

For the sampling process, clusters of Filipino domestic workers were identified, and survey teams were assigned to each cluster. Secondary data sources, key informants, and related literature were also identified. The data gathering instruments (survey questionnaires, interview guides) were prepared and pre-tested.

For the sampling process, clusters of Filipino domestic workers were identified, and survey teams were assigned to each cluster. Secondary data sources, key informants, and related literature were also identified. The data gathering instruments (survey questionnaires, interview guides) were prepared and pre-tested.

Sampling

The baseline survey employed quasi-random, multistage sampling technique (cluster and systematic sampling). The total sample size (n) is 1,020 respondents. This was determined using Slovin's formula (i.e. assumes that population characteristics are unknown): $n = N / (1 + N * e^2)$; where n = total sample size, N = population size, e = margin of error we are willing to tolerate.

At the time of the survey (November 2012), data from Hong Kong Immigration Department

revealed that $N = 144,553$ (documented Filipino domestic workers in Hong Kong, as of end-December 2011). Granting that we set our confidence level at 97% (i.e. $e = 3\%$). Therefore, $n = 144,553 / (1 + 144,553 * 0.03 * 0.03) = 1,020$ respondents. With this sample size, we can be 97% sure that the statistics (averages, standard deviations, etc.) we derive from this sample is within a $\pm 3\%$ margin of error of the actual population measurements (if we had surveyed the whole population).

The total sample size was divided into geographical clusters representing places where Filipino domestic workers congregate on weekends and holidays. Within each cluster, the target respondents were chosen using a systematic sampling (i.e. every k th person was interviewed).

Field survey and processing of results

The actual field survey was done between November and December 2012. At least 30 members of APL/PLU, constituting about 15 survey teams, covered the population clusters all over Hong Kong (Kowloon, New Territories, Hong Kong Island). Previous baseline surveys done among Filipino domestic workers in Hong Kong¹ have shown that 86% have their days off on Sunday, Saturday or “universal” (no fixed day); therefore, the surveys were done mostly on weekends and holidays.

APL/PLU helped code, validate and encode the data. The resulting data file was processed or sorted out by the researcher. The frequency tables, summary lists, tests of correlation, graphs and other statistical information were generated using version 20 of the computer software SPSS (statistical package for the social sciences). The statistics and tables were discussed and analyzed together with APL/PLU members, especially on interpretation, validation and in drawing up conclusions and recommendations. Using these analyses and results, APL/PLU firmed up its action plan on the phase 2 or follow-up of this research as well as information dissemination and campaigns and mobilizations.

The technical aspects of processing the data

(choosing, generating and making initial technical interpretation of the statistics) and the writing of the research report (based on discussions, analysis and conclusions made with APL/PLU) are all the responsibilities of the lead researcher. Errors in this regard are mainly his responsibility, and further technical/statistical questions and clarifications should be addressed to him.

Scope, focus and limitations

This study focused on issues, problems, and recommendations for action on the recruitment and working conditions of Filipino domestic workers in Hong Kong. The aspect on working conditions is a follow-up of earlier baseline studies in 2001 and 2004 by the partners of APL/PLU; while the subject of recruitment issues and concerns is the first in-depth survey done by APL/PLU.

All the survey respondents were chosen and interviewed in Hong Kong in November-December 2012, according to the sampling plan. Therefore, the data gathered reflect the recruitment experiences of those who got a visa and now working as domestic workers in Hong Kong. Thus, the issues and problems of those who applied or were recruited as DWs but eventually failed to work in Hong Kong – who may represent the victims of more serious recruitment violations or trafficking – are not captured by the survey; but will instead be dealt with in the second phase of the study, when focus group discussions (FGDs) and key informant interviews will be done in the Philippines and Hong Kong.

This (first) report relies basically on data from the baseline survey, and therefore represents the views and experiences of the respondents. The recruitment problems and issues they reveal reflect the prevailing recruitment practices and processes which all the Filipino domestic workers in Hong Kong have undergone. It is very important therefore to know, analyze and address these recruitment issues because they may have persistently existed or have worsened through the years while the Hong Kong and Philippine authorities failed to address them apparently since the migrants did not file formal

¹ 2004 baseline survey done by the Asian Migrant Centre, Coalition for Migrants Rights, and FDHGU.

complaints, allowing impunity for unscrupulous recruiters.

As in many field surveys, the procedural limitation is in how rigorous the sampling and interview plan was followed, and how objectively or professionally the surveyors have done their data gathering. This weakness is especially true for PAR, because it chooses to employ the domestic workers (or the target research subjects) themselves to undertake the survey and to process the results. To mitigate this weakness, the survey teams undertook orientation trainings, a structured questionnaire was utilized, and a lead researcher guided the whole process.

and areas of response that are critical in substantively addressing these recruitment problems?

B. Research Question/ Statement of the Problem

The central question that this report seeks to answer is: *What are the recruitment experiences, issues and problems encountered by Filipino domestic workers going to Hong Kong? What can be done to address these matters?*

Specifically:

1. What are the recruitment processes, practices, realities, issues and problems experienced by Filipinos wanting to work as domestic workers in Hong Kong?
2. What are the trends or patterns of these recruitment realities and problems? Did they improve/worsen over time? Are there specific characteristics of the domestic workers, agencies, policies or other factors that affect/influence these problems and patterns? Are there linkages/correlations among these factors?
3. What are the records ("scorecards") of the Hong Kong and Philippine agencies in relation to the problems? Which are the major offenders? Which are the "good practice" agencies?
4. Are there government (Hong Kong/Philippines) regulations or mechanisms to prevent and address these problems? Are they effective or not? Why?
5. What are the concrete recommendations



II. OVERVIEW: LICENSING AND REGULATION OF RECRUITMENT IN THE PHILIPPINES AND HONG KONG

For the purposes of this research, we use the term “recruitment” in its comprehensive sense as defined by Philippine laws:

Any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contract services, promising or advertising for employment abroad, whether for profit or not...²

This is discussed in more detail below, in the context of illegal recruitment. A “recruitment agency” is therefore any private entity or company that is engaged in any of the above actions related to recruitment. They are officially called “employment agencies” in Hong Kong³ and also called brokers, labor recruiters, overseas manpower service providers, placement agencies, manning companies, etc.

The entities (companies, groups or individuals) that engage in recruitment activities but are not licensed or are conducting prohibited recruitment activities (whether they are licensed or not, whether companies or individuals) are dubbed in this report as traffickers, illegal recruiters or smugglers.

A. Philippines: Overseas Recruitment and Migration Policy

The Philippine Overseas Employment Administration (POEA), a government agency under the Department of Labor and Employment (DOLE), is the central authority mandated to systematically promote and develop overseas employment, regulate and monitor the recruitment industry, and manage

the migration and reintegration program of the government. Although originally created to solely cater to land- and sea-based overseas Filipino workers (OFWs), its mandate has expanded and now includes other migrant Filipinos abroad, including their families.

The core functions of POEA:⁴

- Industry regulation
- Employment Facilitation
- Worker's Protection
- General Administration and Support Services

The regulation of the recruitment industry, or the recruitment agencies in particular, is at the top of POEA's core functions. This function was supposedly abolished under R.A. No. 8042 or the Migrant Workers' and Overseas Filipinos Act of 1995, which sought to deregulate the recruitment process. However, it was amended in 2007 by R.A. 9422 that repealed the deregulation provision and strengthened the power and mandate of POEA to regulate recruitment. It was further amended by R.A. 10022 in 2010.

The evolution of POEA and the Philippine migration thrust is like a roster of the country's presidents, having gone through six presidents now, four of whom signed laws or policies on migration. Presidential Decree (PD) No. 797 of then-Pres. Ferdinand Marcos in 1982 established POEA. Its core mandate and functions were reorganized and enhanced under Executive Order (EO) No. 247 of ex-Pres. Corazon Aquino in 1987.

The authority of POEA and other government agencies in relation to Filipino migration were further rationalized and elaborated by Republic Act (R.A.) 8042 or the Migrant Workers and Overseas Filipinos Act of 1995. It was enacted in June 1995 during the presidency of Fidel Ramos, and aims to “institute the policies of overseas employment and establish a higher standard

² POEA website: “Anti-Illegal Recruitment,” Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995, as Amended By Republic Act No. 10022”; last accessed 4 April 2013

³ HK Employment Agencies Regulation (see Hong Kong Labour Department website, “Overview of Major Labour Legislation,” <http://www.labour.gov.hk/eng/legislat/contentA.htm>); accessed 7 April 2013.

⁴ POEA website (<http://www.poea.gov.ph/html/aboutus.html>); last accessed 4 April 2013.

of protection and promotion of the welfare of migrant workers, their families, and overseas Filipinos in distress.”

This law helped align Philippine migration policy with international migration standards, specifically the United Nation’s International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) in 1990, which the country signed in 1993 and finally ratified in July 1995 (after passing R.A. 8042). R.A. 8042 was hailed by the government then as the Magna Carta of the Philippine migration policy because of the comprehensive changes, frameworks and mechanisms it put into place. However, progressive migrant organizations assailed it as formalizing the foothold of neoliberal (or pro-capitalist) programs in the Philippine migrant sector.

At any rate, R.A. 8042 was said to have legally obliged the country to provide and promote a “human rights-based and gender-sensitive” framework and policy on Filipino migration, which would ensure the welfare and protection of overseas workers and their families. Thus, it also declared under Section 2(c) that:

“While recognizing the significant contribution of Filipino migrant workers to the national economy ... the State does not promote overseas employment as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizen shall not, at any time, be compromised or violated. The State, therefore, shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development.”⁵

However, R.A. 8042 also instituted the deregulation policy on recruitment. Part VII of the law (“Deregulation and Phase-out”) provides:

“Section 29. Comprehensive Deregulation Plan on Recruitment Activities. — Pursuant to a progressive policy of deregulation whereby the migration of workers becomes strictly a matter between the worker and his foreign employer,

the DOLE, within one (1) year from the effectivity of this Act, is hereby mandated to formulate a five-year comprehensive deregulation plan on recruitment activities ...

“Section 30. Gradual Phase-out of Regulatory Functions. — Within a period of five (5) years from the effectivity of this Act, the [DOLE] shall phase out the regulatory functions of the [POEA] pursuant to the objectives of deregulation.”

Migrants’ rights advocates, particularly the Alliance of Migrant Workers and Advocates to Amend R.A. 8042 (AMEND), Philippine Migrants Rights Watch (PMRW) and Migrant Forum in Asia (MFA), launched a sustained campaign in the 1990s to amend the law and remove the deregulation provisions, arguing that this was inconsistent with the law’s avowed human rights and migrant protection mandate.

The campaign somehow succeeded when then-Pres. Gloria M. Arroyo signed in April 2007 Republic Act No. 9422, which amended R.A. 8042 by removing the “deregulation” provisions and reinstating the regulatory functions of POEA. This short but landmark law:

- Repealed Sections 29 and 30 of R.A. 8042, thus removing the “deregulation framework”
- Amended Section 23 (b.1) of R.A. 8042, thus institutionalizing POEA’s lead role in recruitment regulation, and strengthening the “human rights framework.”

The amended Section 23 (b.1) reads: ⁶

“[POEA] shall regulate private sector participation in the recruitment and overseas placement of workers by setting up a licensing and registration system. It shall also formulate and implement ... a system for promoting and monitoring the overseas employment of Filipino workers taking into consideration their welfare ...

“In addition to its powers and functions, [POEA] shall inform migrant workers not only of their rights as workers but also of their rights as human beings, instruct and guide the workers how to assert their rights and provide the available mechanism to redress violation of their rights.

⁵ Section 2(c), R.A. 8042..

⁶ Section 2, R.A. 9422.

"In the recruitment and placement of workers ... [POEA] shall deploy only to countries where the Philippines has concluded bilateral labor agreements or arrangements: Provided, That such countries shall guarantee to protect the rights of Filipino migrant workers; and Provided, further, That such countries shall observe and/or comply with the international laws and standards for migrant workers."

B. Illegal Recruitment and the Role of POEA in Recruitment Regulation

R.A. 9422 firmly established POEA's lead role in recruitment regulation, enabling this government body to develop more systematic, strategic, long-term and decisive approaches in regulating and dealing with recruitment agencies.

Part II of R.A. 8042 ("Illegal Recruitment") implicitly describes illegal and abusive recruitment practices (Section 6), and also increases sanctions and penalties for violations (Section 7).

POEA uses a broad description of "illegal recruitment" for a range of recruitment practices that are prohibited by existing laws and policies. Thus, it defines illegal recruitment as:⁷

"Any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contract services, promising or advertising for employment abroad, whether for profit or not, when undertaken by a non-licensee or non-holder of authority ..."

Provisions in R.A. 8042 that were retained in R.A. 9422, as well as cited in the POEA Rules and Regulations, list the following as illegal recruitment, regardless of whether they are done by licensed or non-licensed agencies:

- to charge or accept any amount greater than the government-prescribed fees; or to

make a worker pay any amount greater than that actually received by him as a loan or advance (Sec. 6.a)

- to furnish or publish any false notice or information in relation to recruitment or employment (Sec. 6.b)
- to fail to submit reports on the status of employment, placement vacancies, separation from jobs, departures, and other matters or information as may be required by DOLE (Sec. 6.h)
- to substitute or alter to the prejudice of the worker, and without approval of DOLE, employment contracts approved and verified by the DOLE [in the period between signing and expiration of the contract] (Sec. 6.i)
- for officer/agent of a recruitment agency to directly or indirectly engage in the management of a travel agency or become Board member/officer of any corporation engaged in travel agency (Sec. 6.j)
- to withhold or deny travel documents from applicant workers before departure [for monetary considerations] (Sec. 6.k)
- failure to actually deploy without valid reason as determined by DOLE (Sec. 6.l)
- failure to reimburse expenses incurred by the worker [on his documentation and processing for purposes of deployment], in cases where the deployment does not actually take place without the worker's fault (Sec. 6.m).

These provisions on illegal recruitment, as well as the policies in Hong Kong about terms and conditions of employment for domestic workers are the analytical framework used by this research in studying recruitment practices, specifically the abusive and exploitative ones, which may qualify as "illegal recruitment."

C. How POEA Regulates Recruitment

It was mentioned earlier that a top core function of POEA is "industry regulation," which includes licensing, arbitration, incentive-giving, standard-setting, monitoring, and disciplinary functions in relation to recruitment agencies:⁸

1. Issues license to engage in overseas recruitment and manning to private

⁷ POEA website: "Anti-Illegal Recruitment," Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995, as Amended By Republic Act No. 10022." Last accessed 4 April 2013.

recruitment agencies and ship manning companies.

2. Hears and arbitrates complaints and cases filed against recruitment and manning agencies, foreign principals and employers, and overseas workers for reported violation of POEA rules and regulations, except for money claims.
3. Implements a system of incentives and penalty for private sector participants.
4. Sets minimum labor standards.
5. Monitors overseas job advertisements on print, broadcast and television.
6. Supervises the government's program on anti-illegal recruitment.
7. Imposes disciplinary actions on erring employers and workers and seafarers.

POEA maintains a list of licensed recruitment agencies, which is regularly updated and can be accessed in its offices and through its website. The list includes the name, address, contact information, contact person, and operational status of the recruitment agencies licensed and registered with POEA. The status indicates the period of validity of the recruitment license. Those whose licenses have expired are still kept in the database to serve as historical reference on the record of said agency. Thus, the status also shows "delisted", "cancelled" and "forever banned" agencies, which serve as a public blacklist, informing migrants not to do business with these agencies.⁹

POEA's Governing Board (GB) meets regularly and also issues policy resolutions and memorandum, usually about imposing or lifting of bans on deployment, recruitment and deployment requirements, and related operational policies. The following are the key GB Resolutions (GBR) issued by POEA regarding domestic workers or technically called "household service workers" or HSWs:¹⁰

- GB Resolution No. 4 (2006) – sets "entry-level" minimum age for HSWs at 25 years.
- GB Resolution No. 5 (2006) – increases entry level minimum wage for HSWs from US\$200 to \$400, and requires competency certification for skills.
- GB Resolution No. 6 (2006) – issued on 24 October 2006, prohibits the collection of placement fees from HSWs "whether collected prior to their deployment, or on site through salary deduction." Prior to this, the 2002 POEA Rules and Regulations Governing Land-Based Recruitment allowed the collection of an equivalent of 1 month's wage as placement fee.
- GB Resolution No. 11 (2006) – issued on 24 November 2006, affirms the effectivity and dates of implementation of the package of reforms for Filipino HSWs set under GB Resolutions Nos. 4 to 10 (2006). The "protection and welfare enhancement reforms package for HSWs" specifies minimum age, training and minimum wage requirements, and prohibits the collection of placement fees; sets effectivity on December 2006 for newly-hired HSWs, and February 2007 for returning HSWs.
- GB Resolution No. 12 (2006) – defers implementation of the 2006 "reforms package" to March 2007.
- GB Resolution No. 1 (2007) – clarifies the implementation of the 2006 "reforms package"; reiterates the effectivity of said package in December 2006 for new hires and March 2007 for returning HSWs.
- GB Resolution No. 2 (2007) – amends the minimum age requirement (set by GB Resolution No.4 in 2006) from 25 to 23 years.
- GB Resolution No. 4 (2011) – gives exemptions to the 23-year-old minimum age requirement under certain conditions.

D. International Standards Applicable to the Philippines

In addition to national laws or policies, there are also international standards, especially of the United Nations (UN) and the International Labor Organization (ILO), which prescribe minimum global standards of protection for domestic workers, including against recruitment abuses.

⁸ POEA website; last accessed 4 April 2013.

⁹ Of course, unscrupulous recruiters can always register new agencies; but at least the license cancellations and blacklist show that the government is acting on the abusers.

¹⁰ POEA website, "GB Resolutions"; accessed April 2013.

The latest benchmarks are the ILO Convention No. 189 (C189) – or Decent Work for Domestic Workers – and its supplementary Recommendation No. 201 (R201), which were adopted on 16 June 2011 during the 100th International Labor Conference (ILC) of the ILO. The C189 entered into force on 5 September 2013, a year after the Philippines became the second country in the world to ratify it. This breakthrough convention formally recognized domestic work as work, and affirmed that domestic workers should also be covered by labor standards applicable to all workers, and it specified measures to protect DWs given the nature of this job.

As of this writing, only six countries have ratified C189: Uruguay (14 June 2012), Philippines (5 September 2012), Nicaragua (10 January 2013), Mauritius (13 September 2012), Italy (22 January 2013), and Bolivia (15 April 2013).¹¹

Appendix I lists the UN and ILO conventions that are in force in the Philippines and also applicable in Hong Kong (discussed in the next section).

The Philippines has ratified many of these UN and ILO instruments that provide the strongest protection to migrants and domestic workers – UN's International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) and the International Convention on the Elimination of Discrimination Against Women (CEDAW); and ILO's Migration for Employment Convention (C97), Migrant Workers [Supplementary Provisions] Convention (C143), Private Employment Agencies Convention (C181), and Domestic Workers Convention (C189).

The migrant advocates and social movement in the Philippines were instrumental in pressuring the government to ratify these conventions. It is also apparent that the country's policies and laws on the protection of migrants and DWs (including POEA policies) are moving closer to these international standards. Compliance and enforcement obviously still fall short from these standards, but there is no vagueness anymore as to the parameters and norms for which the government, recruiters and employers can be held accountable.

¹¹ ILO Normlex; accessed 15 April 2013.

The following are the key instruments ratified by the Philippines, and their key provisions on recruitment and protection of DWs:

1. UN's International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW, 1990)
2. UN's Convention on the Elimination of Discrimination Against Women (CEDAW, 1981)
 - General Recommendation No. 26 (GR26) which pertains to women migrants and domestic workers.
3. ILO Convention No. 97, Concerning Migration for Employment (Revised 1 July 1949) ¹²
 - Members that are party to the convention needs to maintain "an adequate and free service to assist migrants for employment, and in particular to provide them with accurate information" (Article 2).
 - Article 7: "(1) Each Member for which this Convention is in force undertakes that its employment service and other services connected with migration will cooperate in appropriate cases with the corresponding services of other Members. (2) Each Member for which this Convention is in force undertakes to ensure that the services rendered by its public employment service to migrants for employment are rendered free."
4. ILO Convention C143, Migrant Workers (Supplementary Provisions) Convention, 24 June 1975
5. ILO Convention No. 181, Concerning Private Employment Agencies (19 June 1997)¹³
 - Article 7: "(1) Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers. (2) In the interest of the workers concerned, and after consulting the most representative organizations of employers and workers, the competent authority may authorize

¹² ILO C97 text, ILO Normlex. (http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:2551460); accessed 7 April 2013.

¹³ ILO C181 text, ILO Normlex (http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:2551460); accessed 7 April 2013.

exceptions to the provisions of paragraph 1 above in respect of certain categories of workers, as well as specified types of services provided by private employment agencies."

- Article 8: "(1) A Member shall, after consulting the most representative organizations of employers and workers, adopt all necessary and appropriate measures, both within its jurisdiction and, where appropriate, in collaboration with other Members, to provide adequate protection for and prevent abuses of migrant workers recruited or placed in its territory by private employment agencies. These shall include laws or regulations which provide for penalties, including prohibition of those private employment agencies which engage in fraudulent practices and abuses. (2) Where workers are recruited in one country for work in another, the Members concerned shall consider concluding bilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment."
- Article 12: "A Member shall determine and allocate, in accordance with national law and practice, the respective responsibilities of private employment agencies ... and of user enterprises (natural or legal persons employing the jobseeker) in relation to: (a) collective bargaining; (b) minimum wages; (c) working time and other working conditions; (d) statutory social security benefits; (e) access to training; (f) protection in the field of occupational safety and health; (g) compensation in case of occupational accidents or diseases; (h) compensation in case of insolvency and protection of workers claims; (i) maternity protection and benefits, and parental protection and benefits."

6. ILO Convention No. 189 Concerning Decent Work for Domestic Workers (16 June 2011; entered into force on 5 September 2013)¹⁴

- Article 15: "(1) To effectively protect domestic workers, including migrant domestic workers, recruited or placed by

private employment agencies, against abusive practices, each Member shall: (a) determine the conditions governing the operation of private employment agencies recruiting or placing domestic workers, in accordance with national laws, regulations and practice; (b) ensure that adequate machinery and procedures exist for the investigation of complaints, alleged abuses and fraudulent practices concerning the activities of private employment agencies in relation to domestic workers; (c) adopt all necessary and appropriate measures, within its jurisdiction and, where appropriate, in collaboration with other Members, to provide adequate protection for and prevent abuses of domestic workers recruited or placed in its territory by private employment agencies. These shall include laws or regulations that specify the respective obligations of the private employment agency and the household towards the domestic worker and provide for penalties, including prohibition of those private employment agencies that engage in fraudulent practices and abuses; (d) consider, where domestic workers are recruited in one country for work in another, concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment; and (e) take measures to ensure that fees charged by private employment agencies are not deducted from the remuneration of domestic workers. (2) In giving effect to each of the provisions of this Article, each Member shall consult with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers."

- Fees charged by private employment agencies are not to be deducted from the remuneration (Article 15)¹⁵
- Private employment agencies – Measures to be put in place (Article 15): regulate the operation of private employment agencies; ensure adequate machinery for

¹⁴ ILO C189 text. ILO Normlex (http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0:NO::P12100_INSTRUMENT_ID:2551460); accessed 7 April 2013.

¹⁵ ILO, "Convention No. 189: Decent work for domestic workers," page 3; accessed 7 April 2013.

the investigation of complaints by domestic workers; provide adequate protection of domestic workers and prevention of abuses, in collaboration with other Members where appropriate; consider concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices.¹⁶

E. Bilateral Agreement Between Hong Kong and Philippine Governments on Recruitment

Despite the urgent need, and notwithstanding the prescription in various ILO conventions for such bilateral agreements to protect DWs from abuses, none pertaining to recruitment regulation had so far been made between Hong Kong and the Philippines. This is one big gap in the capacity of both governments, individually and jointly, to effectively respond to recruitment problems and abuses.

F. Hong Kong: Regulations on Recruitment and Foreign Domestic Workers

What are the laws and policies in Hong Kong pertaining to recruitment agencies and the rights and welfare of foreign DWs?

According to the Hong Kong Labour Department, the major labor legislations in Hong Kong are:¹⁷

- Employment Ordinance, Chapter 57
- Factories and Industrial Undertakings Ordinance, Chapter 59
- Employees' Compensation Ordinance, Chapter 282
- Occupational Safety and Health Ordinance, Chapter 509
- Minimum Wage Ordinance, Chapter 608

Sadly, migrant DWs have been systematically excluded from several of these protection laws

as discussed below.

1. Employment Ordinance, Chapter 57

"The Employment Ordinance is the main piece of legislation governing conditions of employment in Hong Kong. Since its enactment in 1968, the benefits provided for under the Ordinance have been substantially improved. It now covers a comprehensive range of employment protection and benefits for employees including: wage protection, rest days, holidays with pay, paid annual leave, sickness allowance, maternity protection, severance payment, long service payment, employment protection, termination of employment contract, protection against anti-union discrimination."¹⁸

Many of these provisions on benefits are embodied in the standard employment contract for foreign domestic workers which is issued by the Hong Kong Immigration Department, and the only legally-binding contract for all foreign DWs in Hong Kong regardless of nationality.

2. Employees' Compensation Ordinance, Chapter 282

"The Employees' Compensation Ordinance establishes a no-fault, non-contributory employee compensation system for work injuries. Major provisions of the Ordinance are:

- An employer is liable to pay compensation in respect of injuries sustained by his employees as a result of an accident arising out of and in the course of employment; or in respect of occupational diseases specified in the Ordinance suffered by the employees.
- The Ordinance in general applies to employees who are employed under a contract of service or apprenticeship. Employees who are injured while working outside Hong Kong are also covered if they are employed in Hong Kong by local employers."¹⁹

3. Occupational Safety and Health Ordinance, Chapter 509

"The Occupational Safety and Health Ordinance provides for the safety and health

¹⁶ ILO, "Convention No. 189: Decent work for domestic workers," page 4; accessed 7 April 2013.

¹⁷ Hong Kong Labour Department website, "Overview of Major Labour Legislation" (<http://www.labour.gov.hk/eng/legislat/contentA.htm>); accessed 7 April 2013.

¹⁸ Ibid

protection to employees in workplaces, both industrial and non-industrial." This ordinance covers almost all workplaces: factories, construction sites, catering establishments, offices, laboratories, shopping arcades, educational institutions. "However, there are a few exceptions, namely ... domestic premises at which only domestic servants are employed ..."¹⁹

Domestic workers are therefore excluded from the coverage of the OSH Ordinance.

4. Minimum Wage Ordinance, Chapter 608

Although Hong Kong enacted the Employment Ordinance in the 1960s and carried progressive protection standards for all workers, including local and foreign DWs, it resolutely refuses to adopt international standards and local legislation on minimum wage, collective bargaining and regulation of working hours, arguing that these are inconsistent with Hong Kong's laissez faire doctrine and will damage its market competitiveness. The labor movement had struggled long and hard for these protection measures.

Because of the growing influx of foreign DWs especially since the 1980s, and concerns that foreign DWs will compete for local jobs, the government imposed the "New Conditions of Stay" or NCS to prevent foreign DWs from job hopping, prohibit live-out status, deny residency in Hong Kong, among other reasons. But at the same time, Hong Kong also passed the Minimum Allowable Wage or MAW policy (administered by the Hong Kong Immigration Department) to provide a floor wage and prevent extremely low wages for foreign DWs.

After decades of intense campaigning, and the failure of the voluntary minimum wage trial by the government, the Minimum Wage Ordinance was finally enacted in 2011.

This ordinance "establishes a statutory minimum wage (SMW) regime aimed at striking an appropriate balance between forestalling excessively low wages and

minimizing the loss of low-paid jobs while sustaining Hong Kong's economic growth and competitiveness. SMW provides a wage floor to protect grassroots employees. SMW has come into force since 1 May 2011. With effect from 1 May 2013, the SMW rate will be revised from \$28 per hour to \$30 per hour."²¹

Sadly, and despite the intense campaigns by DW unions, other mass organizations and local trade unions, migrant DWs have been excluded from the coverage of the SMW Law. The MAW remains in effect for foreign DWs.

5. Employment Agency Regulations

"The Employment Agency Regulations made under the Employment Ordinance regulate the operation of employment agencies in Hong Kong. The major provisions of the Regulations are:

- Every employment agency is required to apply for a license from the Labour Department before undertaking any job placement business.
- An application for the issue of a license must be made to the Commissioner for Labour in the prescribed form at least one month before the commencement of business.
- A license is valid for 12 months from the date of issue and application for renewal has to be made not later than two months before its expiry.
- The maximum commission which may be received by an employment agency from a job-seeker should not exceed 10% of the job-seeker's first month's wages he received after he has been successfully placed in a job.
- Any agency failing to comply with the requirements of the law is liable to prosecution and revocation of license."²²

Role of the Employment Agencies Administration (EAA)

"The Employment Agencies Administration is responsible for administering Part XII of the Employment Ordinance and the Employment Agency Regulations. It carries out frequent inspections to employment agencies to ensure

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Ibid..

that they are operating within the limits of the law to safeguard the interest of job-seekers. All employment agencies are required to apply for licenses from the Employment Agencies Administration before undertaking any job placement business. The names of the persons and agencies to whom licenses have been issued in every year are published in the Gazette."²³

The latest issue of the Gazette (1 June 2012, No. 22, Vol. 16)²⁴ lists the recruitment agency licenses granted in 2011-2012. Since the license is valid for 12 months only, the agencies have to register annually and be published in the Gazette in June every year. Hence, those not listed are either unlicensed or were granted licenses after June.

Likewise, "(i)ndividual Consulate General in Hong Kong may accredit local employment agencies to process contracts for workers from their country to Hong Kong for employment."²⁵

6. Systematic Discrimination and Exclusion of Foreign DWs from Hong Kong Laws

As mentioned, MDWs have been systematically excluded and discriminated against in Hong Kong labor and social protection laws. While foreign DWs are covered by the Employment Ordinance – the primary law that prescribes core labor protection standards in Hong Kong, including on recruitment – they are not covered by other major protection laws, especially the OSH Ordinance and the SMW Law.

In recent years, Hong Kong has enacted several anti-discrimination laws, including on age, marital status, sex, and race. The Anti-Race Discrimination Ordinance (ARDO) is perhaps the most important for MDWs. However, foreign DWs are effectively excluded from this law since they could not

challenge discriminatory immigration policies (e.g. New Conditions of Stay) that specifically target foreign DWs.

The various laws and policies that treat foreign DWs as second-class workers/people in Hong Kong are encapsulated in the "New Conditions of Stay" (NCS) policy imposed in 1987:

"The NCS denies (MDWs) the right to change to other (non-domestic worker) job categories; once a domestic worker, always a domestic worker. The NCS denies the right to obtain residency after seven years; all other foreign workers in Hong Kong have this right to obtain residency after seven years. The NCS denies migrant domestic workers the right to be joined by their families, which is allowed for all other foreign workers. The NCS further discriminates against (MDWs) with the live-in requirement, which forces (them) to live with their employers; another condition not imposed on any other foreign workers. The NCS also severely restricts the conditions upon which (MDWs) can change employers. One particularly onerous section of the NCS is the 'two-week rule,' (which) requires (MDWs) to leave Hong Kong within two weeks of the termination date of their contract, even if the termination is through no fault of the worker."²⁶

Although the UN Committee on CERD, UN Committee on CEDAW, and the UN Committee on the Covenant for Economic, Social and Cultural Rights have issued reports calling on the Hong Kong government to modify or repeal the Two-Week Rule, this policy remains in place and strictly enforced by the Hong Kong immigration authorities.

The said exclusions or discriminations of MDWs put into sharp focus the importance of the core rights and benefits that they are entitled to, to reduce their risk of abuse and

²³ Ibid.

²⁴ Gazette No. 22, Vol. 16, Special Supplement No. 4 may be accessed at: <http://www.gld.gov.hk/egazette/english/gazette/volume.php?extra=&year=2012&month=06&day=01&vol=16&no=22&gn=&type=4&id=21135&ls4=2>; last accessed 7 April 2013.

²⁵ HK Labour Department website, "Public Services" (http://www.labour.gov.hk/eng/service/content4_2.htm); accessed 7 April 2013.

²⁶ 2007 underpayment 2, p. 16, Wikipedia (http://en.wikipedia.org/wiki/Foreign_domestic_helpers_in_Hong_Kong); accessed 15 April 2013. The right of abode (permanent residency after a foreigner has worked and "ordinarily resided" in Hong Kong for a continuous period of at least 7 years) is a provision of the Hong Kong Immigration Ordinance. But FDWs are denied this right by exempting them from the definition of being "ordinarily resided" in Hong Kong no matter how long they stay here.

exploitation. Therefore, recruitment agencies commit substantial violations of the rights and contribute to the abuse of DWs if these agencies withhold pertinent information from DWs or deceive DWs into believing that they are not entitled to basic labor rights and benefits as workers in Hong Kong.

7. International Standards that are Applicable to Hong Kong SAR ²⁷

Appendix I lists the UN and ILO conventions that are applicable in Hong Kong (and in force in the Philippines):

- International Covenant for Civil and Political Rights (ICCPR)
- International Covenant for the Elimination of All Forms of Racial Discrimination (CERD)
- International Convention for Economic, Social and Cultural Rights (ICESR)
- ILO Convention 87 on Freedom of Association and Protection of the Right to Organize (1948)
- ILO Convention 97 on Migration for Employment (Revised) (1949)
- ILO Convention 98 on the Right to Organize and Collective Bargaining (1949)

Hong Kong has applied six of the eight fundamental ILO Conventions; while the Philippines has enacted all the said eight conventions. Hong Kong has complied with 39 of the 177 technical conventions, including C97, C143, and C189; whereas the Philippines has 27 in force. Altogether, Hong Kong has followed 48 of the 189 ILO conventions, 41 of which are in force; the Philippines, on the other hand, has ratified 37 of the said 189 conventions, 35 of which are in force. ²⁸ Hong Kong has therefore applied more ILO instruments than the Philippines; but the latter has ratified more instruments pertaining to migrants and domestic workers.

While it is sad that the Hong Kong SAR government does not apply the ILO and UN conventions that give the strongest protection to migrant workers and DWs (e.g. UN CMW, ILO

C143, C181, C189), Hong Kong has very strong local counterpart laws (Employment Ordinance, including 10% limit on agency fees, standard contract for foreign DWs) and has ratified some of the key UN and ILO instruments (CEDAW, C87, C98, C97).

As earlier mentioned, the Philippines has ratified all the UN and ILO instruments that provide the strongest protection to migrants and DWs against rights violations and recruitment abuses. However, the absence of a bilateral agreement prevents both governments to complement each other's strengths (e.g. the Philippine' laws protecting DWs, and Hong Kong's enforcement capacity and labor protection laws).

G. How the Philippine Consulate in Hong Kong Regulates Recruitment and Acts on Recruitment Problems

Philippine missions all over the world follow a "one-country team approach," meaning all the government agencies in Philippine embassies and consulates in that part of the world collaborate in addressing the needs and problems of the Filipinos there, including OFWs. This is true in Hong Kong. The labor attaché, being the representative of DOLE, is the primary consular person in Hong Kong responsible for ensuring the implementation of Philippine and Hong Kong laws, policies and protection measures for Filipino DWs there.

The Philippine Consulate-General (PCG) in Hong Kong accredits and monitors recruitment agencies that hire Filipino DWs, ensures that the standard contract for foreign DWs in Hong Kong are applied to Filipino DWs, and assists them on their employment and recruitment problems. The PCG also liaises with Philippine and Hong Kong authorities to resolve or address recruitment problems.

The PCG-Hong Kong maintains an updated list of accredited employment agencies in Hong Kong; the latest record, which is accessible to Filipino DWs and the public at the Philippine Consulate General office, was last January

²⁷ Hong Kong SAR itself could not ratify international treaties; China does. Hong Kong SAR, as a member of ILO, merely notifies the ILO on the instruments ratified by China that will also legally apply to Hong Kong SAR.

²⁸ ILO Normlex; accessed 15 April 2013.

2013. It contains names and contact details of accredited Hong Kong agencies and their principals in the Philippines.

The agencies get their licenses to operate from the Hong Kong EAA, and if they want to process the hiring of Filipino DWs, they have to get accreditation from the Philippine Consulate. While accreditation is voluntary, but only the consulate-accredited agencies can be processed at the Philippine Consulate for the approval of the employment contracts of Filipino DWs in Hong Kong as required by the Hong Kong Immigration Department.²⁹

H. Summary Results and Observations (Licensing and Regulation of Recruitment)

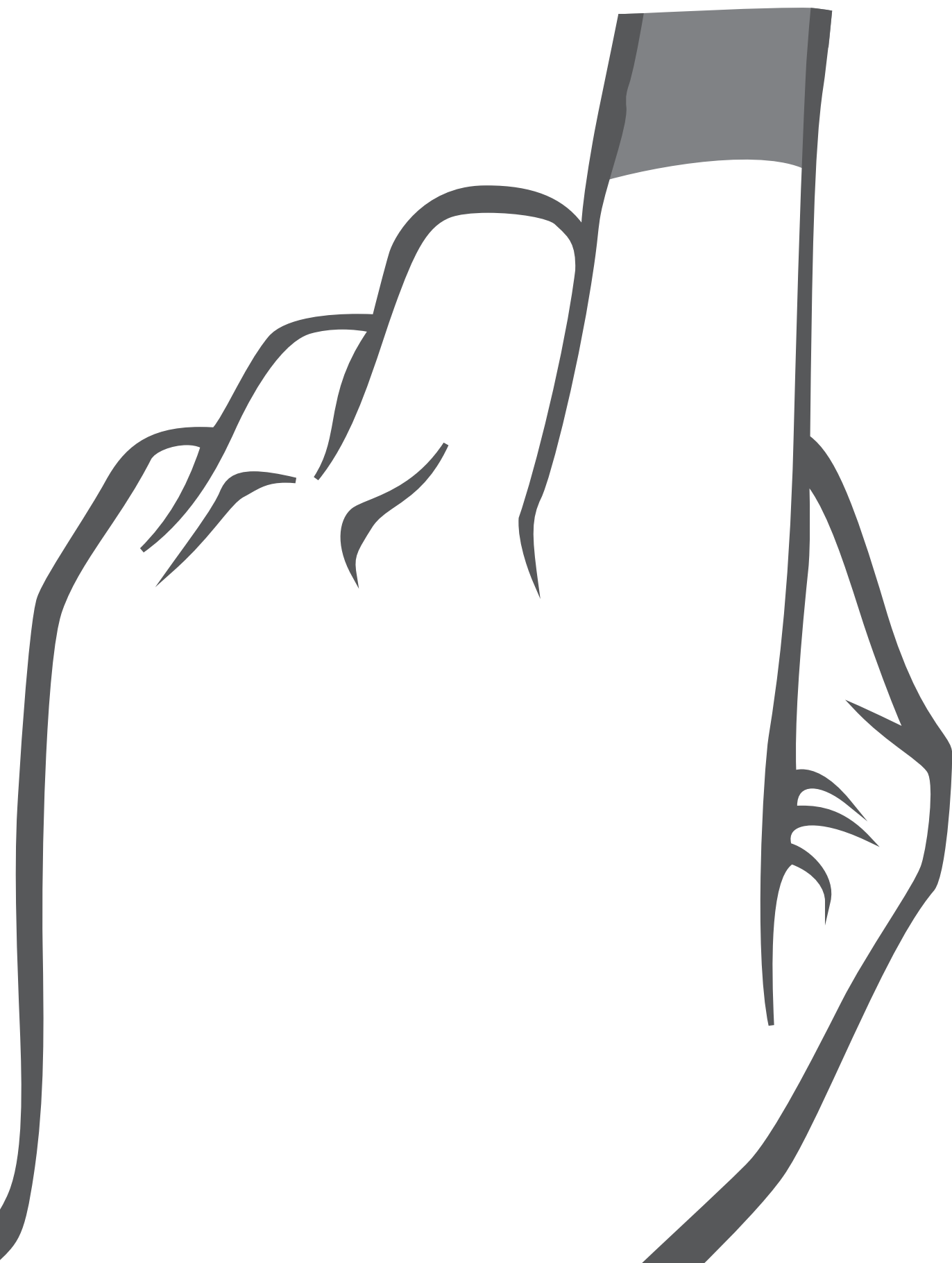
1. Recruitment of DWs into Hong Kong is a formal, well-established industry. It has legally-set licensing and regulation processes and requirements as well as government bodies both in the Philippines and Hong Kong that are clearly mandated to deal with recruiters and recruitment processes and issues. This mandate includes adjudication and going after recruitment offenders and violators.
2. The recruitment agencies both in Hong Kong and the Philippines have clear identities and legal personalities. Therefore, they can be held liable for violations of either Philippine or Hong Kong laws and policies. Those operating outside the legal orbit are clearly defined as illegal recruiters, traffickers or smugglers, and they are subjected to harsh anti-trafficking regulations.
3. The regulation of recruitment practices and agencies in the Philippines and Hong Kong, and punishment for violations, are clearly prescribed by law and government policies. There are specific laws or policies on recruitment process, which cover collection of agency and other fees; ensuring legal migration or avoiding human trafficking; processing of visas and contracts; procedural requirements; ensuring adherence to

wage, benefits and other labor protection measures; and preventing illegal recruitment practices. Both the Philippines and Hong Kong have labor laws and employment requirements covering the rights, working conditions and other terms of employment of DWs.

4. Reinforcing these national laws or policies are international standards that Hong Kong and the Philippines governments have committed to adhere to. The Philippines has ratified all of the UN and ILO instruments that give the strongest protection to DWs against recruitment abuses; while Hong Kong has ratified some key instruments and has some very strong ordinances on DW protection and recruitment regulations.
5. The absence of a bilateral agreement between Hong Kong and the Philippines on addressing recruitment problems and violations is a big gap in the capacity to address illegal recruitment and other employment dilemma.
6. There are reporting and redress mechanisms in place in Hong Kong and the Philippines.
7. Some of the punitive mechanisms: Blacklisting and other disciplinary actions like closures and other penalties.
8. Assistance is also being provided by various migrant organizations, trade unions and other civil society organizations.

All said, the problems about recruitment, recruitment fees, and recruiters are prevalent among Filipino DWs in Hong Kong. This report describes the major recruitment problems experienced by Filipino DWs in Hong Kong. It also tries to examine why and how these problems happen and persist, and what effective strategies that can be used to address them.

²⁹ Discussion with the Philippine labor attaché in Hong Kong, 30 April 2013.



III. PROFILE OF THE FILIPINO DOMESTIC WORKERS IN HONG KONG

Before we discuss the recruitment problems and issues experienced by Filipino DWs in Hong Kong, let us first know who these Filipino DWs are. Previous publications of the Asian Migrant Centre have extensively described the foreign domestic worker population in Hong Kong, including their demographics, history, and main issues and campaigns.³⁰

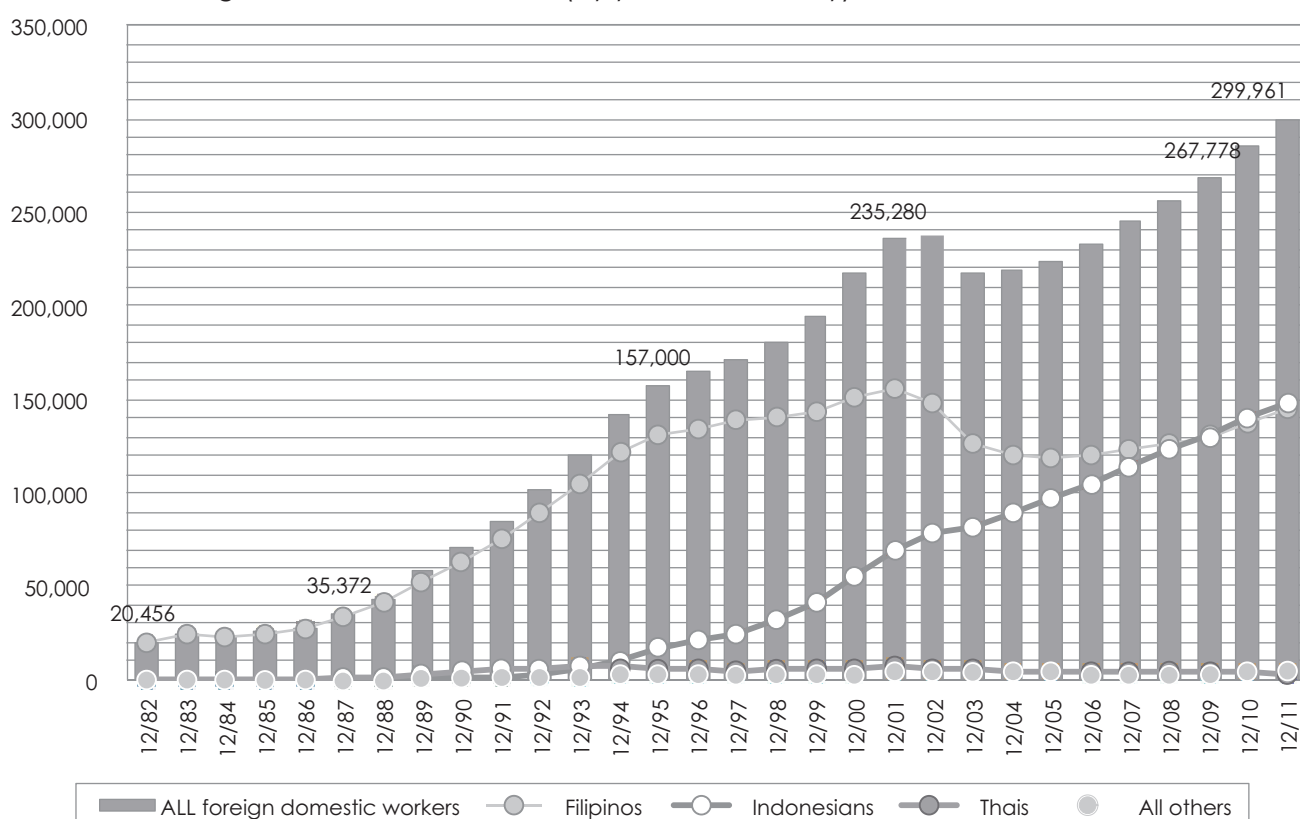
Suffice it to say that the influx of foreign domestic workers in Hong Kong began in the 1970s, when the government “permitted foreign domestic helpers (FDHs) to work in Hong Kong ... to meet the shortage of local full-time live-in domestic helpers. The arrangement is in line with the fundamental principle of the Government’s labour policy that local workers enjoy priority in employment. Employers can only import workers

if they cannot recruit suitable local workers in Hong Kong.”³¹

By 1982, there were 20,456 registered FDWs, mostly Filipinos (98% of the total) and some Thais (see graph on No. of Foreign Domestic Workers in HK). There was a sustained, explosive growth in the FDW population from 1987 until 2002, when the FDW population reached 237,110 – still largely composed of Filipinos (63% of the total).

Subsequent events in the 1990s and early 2000s – the 1998 financial crisis in Asia, economic crises in Russia and Latin America, the 9/11/2001 attacks in New York, the two Gulf wars, the 2003 SARS pandemic – weighed heavily on the Hong Kong economy and dampened the demand for FDWs. The Hong Kong government also

Number of Foreign Domestic Workers in HK (by year & nationality)



³⁰ See for instance AMC research reports in 2001 and 2008

³¹ HK Labour Department website, “Importation of Labour: Foreign Domestic Helpers” (<http://www.labour.gov.hk/eng/plan/iwFDH.htm>); accessed 15 April 2013..

imposed in 2003 a levy on employers of foreign DWs ³² to lessen the growing government deficit due to various stimulus measures and fiscal responses to the economic difficulties. All these contributed to an overall slowdown in the intake of foreign DWs; the total FDW population declined sharply (9% drop) in 2003. It picked up slowly in the next five years and surpassed the 2002 total only in 2007. By the end of 2011, the total FDW population reached 299,961 of which 144,553 (48%) are Filipinos.

The slowdown and decline in the hiring of foreign DWs affected the Filipinos more than other FDW nationalities. The demand for Filipino DWs in Hong Kong already plateaued since 1995 and declined yearly from 2002 to 2005 (average 7% annual decline). The intake slowly picked up from 2006 onwards (2% growth per year), and strengthened from 2009 to date (5%-6% growth per year).

The Indonesian DWs filled up the slack in the hiring of Filipino DWs. From a total of 1,023 Indonesian DWs in 1990, the intake exploded by an average of 46% growth each year from 1990 to 2002. Even when the intake of Filipinos declined, and the total FDW population in Hong Kong decreased, the intake of Indonesians never declined, but grew by an average of 7% per year from 2003 to 2011. In 1990, Filipino DWs composed 90% and Indonesians 1% of the total FDW population. It was reversed by the end of 2011, when the Indonesians comprised 49% and Filipinos 48% of the FDWs in Hong Kong.³³

This population of 144,553 Filipino DWs in Hong Kong as of end-2011 was the sampling frame for our baseline survey and action research.

Below are the results of the survey, focusing on the recruitment aspect. All the information here are based on the answers of the respondents.

³² The levy on employers of foreign workers had actually been in place since the 1980s, but employers of FDWs were exempted from this policy. This exemption was lifted in 2003, when employers of FDWs were required to pay a HK\$9,600 levy for every 2-year FDW contract. The government blunted the effect on employers by imposing a (second) cut on the MAW of foreign DWs in the same year.

³³ For in-depth analysis on this, see for example, AMC/IMWU research, "underpayment," 2008.

A. The 'Average Filipino Domestic Worker' in Hong Kong

If we view her as an individual, this is the "average profile" of a Filipino domestic worker in Hong Kong:

1. She is a woman, 36 to 37 years old, from Northern Luzon [Regions 1 (Ilocos), 2 (Cagayan Valley), or the Cordillera Administrative Region (CAR)].
2. She has college-level education; married or has a partner or been widowed/separated.
3. She has been in Hong Kong for an average of almost six years (i.e. on her third domestic worker contract).
4. She has a female Hong Kong Chinese employer; serves 3-4 people in the household, and she frequently does three sets of DW duties.
5. She receives a monthly salary of HK\$3,743, which is slightly above the minimum (see discussion below on minimum wage and underpayment). This compares favorably with the HK\$3,501 average wage in 2004. ³⁴
6. She gets almost all of her weekly days off (3.9 days per month), but enjoys only less than 14 hours of this (instead of 24 hours required by law); most frequently, she leaves the employer's house at 8:00 a.m., and returns by 11:00 p.m.
7. She gets 10 to 11 statutory holidays per year, short of the legally mandated 12 days.
8. She works on average 15.6 hours per day, which is slightly longer than the 2004 average of 15.3 hours. ³⁵ Most frequently, the work starts at 6:00 a.m. and ends by 11:00 p.m.

B. Characteristics of the Filipino Domestic Worker Population in Hong Kong

³⁴ 2004 baseline survey, AMC and CMR/FDHGU

³⁵ Ibid.

If we look at the community of Filipino domestic workers in Hong Kong as a whole, these are the major characteristics:

- 1. Origin:** The majority or 61% are from Luzon; those from the Visayas constitute 22%, and Mindanao 14%. In terms of region of origin, the top three are: Region 1-Ilocos (18%), Region 6-Western Visayas (14%), and Region 2-Cagayan Valley (12%).
- 2. Age:** The average age is 36.5 years, and the biggest age groups are between 30 and less than 40 (49% of the total). This means the population is lower-middle age. This is much older than the average age (27 years old) of Indonesian DWs in Hong Kong.³⁶
- 3. Age on arrival in Hong Kong:** The average age of the DW on her first arrival in Hong Kong is 31 years; the youngest was less than 17, but this happened in the 1980s; while the oldest was almost 55. POEA has a minimum age policy for DWs (23 years, set in 2007). This is generally followed, given the 31 years' average. However, a listing of the age on arrival per year (2006 to 2012) shows that the youngest on-arrival age among DWs fluctuated from 17 to 23 years.
- 4. Gender:** The overwhelming majority (98%) are women.
- 5. Education:** Most have college-level education or degrees (60%, of which 27% have university degrees). Most of the rest have high school or technical/vocational education (38%). This contrasts sharply with Indonesian DWs, almost all (99.5%) have primary to high school education only; and less than 1% have college education.³⁷
- 6. Civil status:** The majority (62%) are married, separated or divorced; the rest (38%) – almost 4 in every 10 domestic workers – are single/never had a partner or spouse.
- 7. Years in Hong Kong:** Although the average is 5.9 years (i.e. on their third domestic worker contract period), the biggest group of domestic workers (35% of total) are those in their first contract period (been in Hong

Kong for less than two years). Indeed, those who have been in Hong Kong for less than one year constitute 20% of the total domestic worker population. While the second biggest group (22%) are those in their second contract (2 to less than 4 years in Hong Kong). Together, these 2 groups (less than 4 years in Hong Kong) comprise the majority (57%) of the respondents. This suggests that there has been a significant entry of Filipino domestic workers to Hong Kong in the last four years. The overall average is high because there are fewer, but very long-staying domestic workers (maximum year in the sample reaches up to 28.5 years).

- 8. Employer:** More than 65% of the employers are women, most of them (85%) are local Hong Kong Chinese; the rest are other Asian employers (11%), and non-Asian employers (4%).

C. Working Conditions of Filipino Domestic Workers in Hong Kong

- 1. Duties:** For this research, domestic worker duties were grouped into 11 clusters. On average, each DW is doing 2 to 3 clusters of work – the big majority are, predictably, doing housekeeping/cleaning duties (74% of total), and cooking/marketing (69%). The next most common tasks are taking care of babies/pre-school children (43%), and taking care of school-age/older children (35%); this means that 78% are doing childcare duties. A smaller percentage (14%) do elderly care. The most overworked do 8 sets of duties.
- 2. Wage:** As mentioned, the average wage of Filipino domestic workers is HK\$3,743. This is slightly above the minimum wage. Although the current minimum allowable wage (MAW) is HK\$3,920, this only took effect for contracts signed in September 2012 onwards; therefore, the big majority of Filipino DWs are still covered by their existing contracts with HK\$3,580 or HK\$3,740 MAW. Thus, the HK\$3,743 average wage is above these minimums (on average, Filipino domestic workers' wages are HK\$145 above MAW). Based on the survey, 20% of the DWs are

³⁶ 2007, underpayment 2.

³⁷ 2007 underpayment 2, p. 22..

underpaid (the 3.9 percentage-points are seriously underpaid, ranging from those getting no wages for months to those receiving MAW set in 2003). Slightly over 38% receive exactly the minimum wage, and 42% receive wages above the MAW.³⁸ (Computing these averages is a bit confusing, since at the time of the survey there were three amounts of MAW legally in effect: HK\$3,580 for contracts signed before June 2011; HK\$3,740 for contracts signed June 2011 onwards; and HK\$3,920 for contracts signed from September 2012 onwards. Hong Kong government policy requires that each MAW adjustment applies to newly signed contracts only; therefore the existing contracts adhere to the previous MAW until they are renewed.)³⁹

This issue is significant to the recruitment process, since the recruitment agencies are the ones that facilitate or tell the DWs what wage they will receive. In underpayment cases, the agencies use the amount of the previous MAW. Or, if the proper MAW is used, they collude with the employer to deduct the agency fees from the wage, thus resulting in the DW receiving a much smaller monthly salary than the MAW.

3. Days off: The big majority (92%) get the legally-mandated 1 day off a week. The remaining 8% have less than 4 days off per month, meaning there are some weeks when they could not use their day off (several said the employer pays for this extra work); half of them say they do not have any day off at all (less than 1 per month).

4. Statutory holidays: Since the average is less than the mandated 12 days per year, it indicates that there is a significant number

who don't get all the statutory holidays. Indeed, only 86% of the domestic workers have 12 or more holidays per year. A significant number (6%) say they do not have holidays at all.

5. Working hours: Less than 1% of Filipino DWs work 8 hours or less per day. The average length of work is 15.6 hours per day; and most of the DWs (39% of total) work between 16 and 17 hours daily. More than half (52%) work 16 or more hours per day. The shortest is 7 hours; the longest is 21 hours. Most start their work at 6:00 a.m. and end at 11:00 p.m. This is slightly less than the average working hours of Indonesian DWs in Hong Kong (16 hours per day).⁴⁰

Previous researches done by AMC, CMR and partners⁴¹ revealed that the above working conditions, especially wages, days off, and holidays are related to how the agencies discussed the terms of work with the employers. Thus, underpayment, denial of days off and holidays became prevalent among Indonesian DWs during the first half of 2000s because these were the times when recruitment agencies were making deals with employers to hire Indonesians at below-MAW levels or were offered "more cheaply" to the employers. In doing so, the agencies and employers connived to deny the DWs days off, holidays and other rights, pay them lower than the mandated minimum wage, and charged them very high recruitment fees which are withheld from the monthly salary.

This report will discuss the agency practices and examine where the violations and exploitative practices are happening. In the second report to be released by APL based on this same research, we will analyze more deeply the working conditions and explore how these are linked to recruitment practices. For now, let us focus our analysis on the practices, processes and issues on recruitment and recruitment agencies.

³⁸ This compares with 22% underpaid Indonesians (2007 survey); the same research reported however that underpayment is higher at 38% for "first contract" DWs. The underpayment among Indonesians has fallen to around 90% in 1999 to 42% in 2005 and 22% in 2007 [2007 underpayment 2, p.61].

³⁹ The standard DW contract is two years. This practice of applying the new MAW to newly signed contracts only is an insidious way of denying the DW the new wage for up to 23 months (e.g. in the worst case of a DW signing her contract the month immediately before the new MAW is adopted). For these DWs, the MAW increase is illusory for up to 23 months; and technically, they are not underpaid either.

⁴⁰ 2007, underpayment 2, p.50.

⁴¹ See AMC/CMR 2001 (baseline), 2007 (Nepalese), 2007 (Indonesian) DW researches.

D. Summary Results and Observations (Profile and Working Conditions of Filipino DWs in Hong Kong)

1. Filipino DWs in Hong Kong, on average, have their own families whom they left behind in the Philippines in order to serve other families in Hong Kong; they are relatively young or middle-aged women who have college education or degrees. While many have just recently arrived in Hong Kong (less than one year), most have stayed here and have been separated from their own families for almost six years.
2. They serve mostly Hong Kong families of 3-4 people in the household. Receiving just the allowable minimum wage, they work almost 16 hours per day; the longest workday reported was 21 hours. Alarming, one in every five is underpaid, with some receiving nothing for months in order to pay recruitment placement debts.
3. They do the core duties of housekeeping, cleaning, marketing, cooking and laundry; more than 3/4 of Hong Kong families with FDWs rely on them for childcare and 14% for elderly care. The more overworked do eight sets of duties (including cleaning cars, taking care of pets, gardening, driving).
4. They get almost all of their weekly days off, which they enjoy only for half a day (instead of 24 hours) because they have to return to the employer's house by 11 p.m. of that day. Some don't get any day off at all, or get one day off every few months. They get most of their statutory holidays per year, but one or two holidays are usually not given.
5. Filipino DWs have generally fair working conditions with employers following the minimum requirements of Hong Kong employment ordinance or standard DW contract. Their working hours however are stretched to almost their whole waking hours; their rest days are effectively cut to only half a day, perhaps because they are in a live-in arrangement with their employers.
6. Despite the fair working conditions of the majority, significant numbers are still enduring more inhumane or abusive conditions: of the 20% underpaid, the 3.9 percentage-points are serious wage violations. Of the 8% who do not get weekly days off, half have less than 1 day off per month. Of the 14% who do not get all their statutory holidays, the 6.0 percentage-points have less than 1 statutory holiday the entire year. Of the majority 52% who work 16 or more hours per day, more than half work for 17 or more hours. Perhaps, these are the cases that we can call slavery-like.



IV. RECRUITMENT CHANNELS AND FINANCING

A. Recruitment Channels

The big majority of respondents (88%) said they processed their visa or work contract in Hong Kong through a recruitment agency based here or in the Philippines or both. The remaining 12% did not go through recruitment agencies or directly hired by the employer, sought work on their own, assisted by friends/relatives, or found work through POEA/government channels.

The graph below shows how the respondents processed their visa/contract during the year they went to Hong Kong. The striking trend is the tremendous increase in the use of recruitment agencies since early 2000s. The increase became more pronounced in 2004 onwards, while the direct or government channels had stagnated during this period.

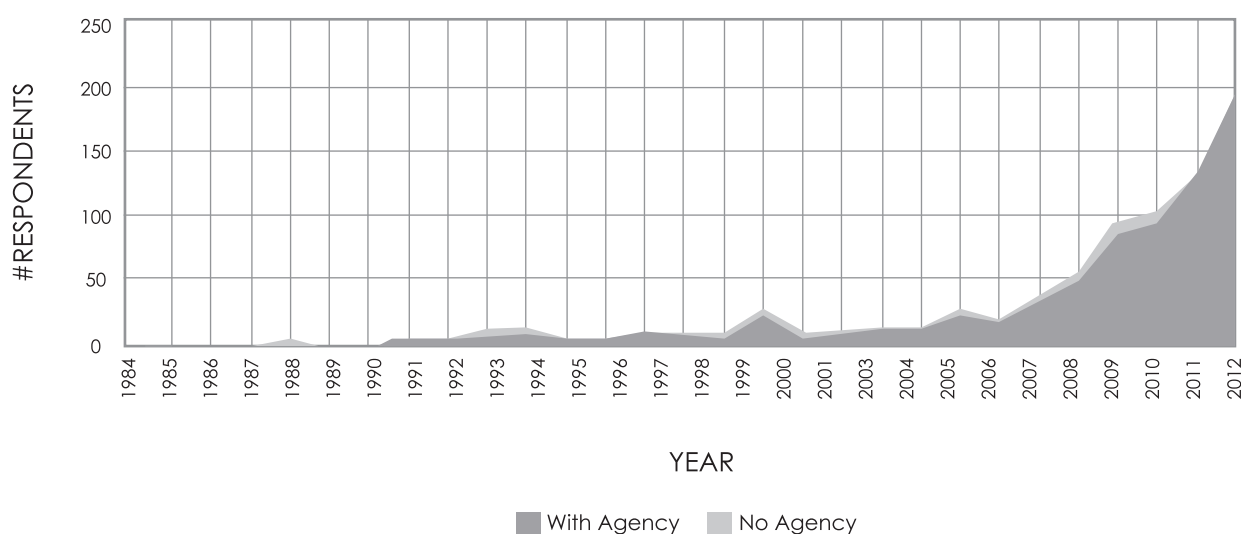
The bigger number of Filipino domestic workers in the last five years that were included in the survey echoed POEA data on the deployment pattern of domestic workers to Hong Kong. The POEA data show that the deployment of new hires increased by an average of 17% a year between 2007 and 2011 – despite the 14% drop in 2008 following the global economic crisis; in the two other years the increases were hitting

above 33% per year.⁴²

But the more relevant observation is that despite this dramatic increase, the proportion of domestic workers who did not use agencies remained almost the same (since the 1990s; see red strip in the graph). This means that the recent deployments (early 2000s to now) were done mostly through recruitment agencies.

Among those who went through recruitment agencies, the majority (58%) used agencies both in the Philippines and Hong Kong; 25% used agencies in the Philippines only, and the rest used agencies in Hong Kong only. Among those without agencies, the majority or 58% were directly hired by the employer; more than a quarter or 27% got help from their friends or relatives; and the small remainder, through the Philippine government channels or on their own initiative.

Thus, recruiters or recruitment agencies have a vital role for they have a bearing on the recruitment practices, issues and problems that are later discussed in this report.



⁴² See POEA website, "2007-2011 deployment statistics...."; last accessed 4 April 2013

B. Financing the Recruitment Costs

How did the Filipino domestic workers pay for the recruitment charges and related costs? The survey reveals that there are three primary modes: own or family savings/funds (32%); loan from relatives or friends (29%); and loan from banks/lenders/financing companies (27%). A few have advanced or loaned from recruitment agencies (4%), and even fewer have sold or mortgaged properties or assets (less than 3% each).⁴³

Except for those using their own/family savings (32% of respondents), all the other options entail some kind of loan or borrowing. Therefore, more than 2/3 start their work abroad tied to some loans or payables.

C. Recruitment Costs

How big is the financial burden arising from the recruitment process? This is a central issue that the research wants to address, hence the financial costs and related problems will be discussed in the next section. For now, the outright answers are:

1. Average recruitment agency charges in Hong Kong: PHP42,647 (HK\$8,123 @P5.25/HK\$);
2. Average recruitment agency charges in the Philippines: PHP74,433 (HK\$14,178);
3. Average additional costs to the domestic worker (on top of above agency charges): PHP6,853 (HK\$1,305);
4. Average total recruitment costs (charges in Philippines + charges in Hong Kong + additional costs): ⁴⁴ PHP80,736 (HK\$15,378).

Agency charges are deliberately used here instead of “agency fee” or “placement fee.” Because of recruitment regulation policies both in Hong Kong and the Philippines, recruitment agencies may reclassify, rename, juggle their fees around to minimize the “agency fee.” This juggling can even happen between agencies

in Hong Kong and the Philippines. Since the law primarily regulates the agency fee, this amount is usually minimized by bundling or lumping it up and/or distributing it among various expense items, e.g. training, lodging, medical, visa processing, travel, etc. Therefore, it is not the “agency fee” per se that we are studying, but the totality of the amount charged by the agency to the domestic worker (i.e. “agency charges”). No matter how the agency profits/fees are hidden or shuffled around, the total amount collected by it is what matters to the domestic worker and what becomes her actual financial burden.

Despite the excessive and unlawful agency charges, there are additional recruitment costs that the domestic worker also pays by herself, on top of what she already paid the agency. Many of these are the preparatory costs (e.g. pre-employment seminars, travel from hometown, her lodging/living costs, etc.). These expenses still balloon if an unscrupulous agency cheats the DW by not covering typical expenses (e.g. processing of documents, airfare, etc.) that should already been covered by the fees earlier paid by the DW.

These additional costs, when added to the agency charges both in Hong Kong and the Philippines, will turn into the “total cost” of the recruitment process to the domestic worker. This amounts to almost PHP81,000. By incurring huge debts to her agency or employer, the domestic worker becomes highly vulnerable to pressures or abuse from her recruiters and/or employers, and leaves her with very little, if any, bargaining power. She has to pay back her debts within a few months forcing her to accept even grossly unjust terms of work. If the recruiter/employer succeeds in withholding the DW's full month's salary to pay off the recruitment costs, this means the DW will not receive any wage (effectively debt-bonded) for at least four months (HK\$15,378 / \$3,920 MAW = 3.9 months).⁴⁵

⁴³ These are not mutually exclusive options (i.e. respondent can choose one or several or all of the options); therefore, the percentages are not additive.

⁴⁴ These amounts are not directly additive; the averages are computed from all the cases.

⁴⁵ In earlier studies published by the Asian Migrant Centre and Coalition for Migrants Rights (e.g. in 2001 and 2007), this was actually the case among Indonesians DWs. Many were underpaid or did not receive any wage because the high recruitment charges were forcibly repaid by withholding or deducting from their monthly wage.

D. Summary Results and Observations (Recruitment Channels and Financing)

1. Nearly 90% of DWs go to Hong Kong via recruitment agencies. The deployment of Filipino DWs to Hong Kong has increasingly been done by recruiters since direct hire channel has significantly been reduced due to the earlier deregulation policy. With the repeal of the deregulation law in migration, the government, particularly the POEA, should explore other channels that can be developed and how to stop private recruiters from monopolizing and using the process to abuse and exploit the migrant domestic workers.
2. Despite or perhaps because of the recruitment regulation, especially on agency or placement fees, unscrupulous agencies try to circumvent the law by renaming, shuffling, distributing, padding or hiding their excessive fees. Despite prohibition on placement fees since 2006, the recruitment costs in the Philippines have now reached an average of P74,433, which is a flagrant violation of the zero placement fee policy of POEA. In Hong Kong, the average placement fee is P42,647, which also violates the 40-year policy limiting fees to 10% only of the monthly wage of a DW.
3. More than 2/3 of the DWs finance their recruitment costs through loans or borrowings. Since the average total recruitment costs are already the equivalent of 4-month wage, such excessive fees financed by loans aggravate the vulnerability of the DW to debt bondage and other forms of abuse and exploitation by the recruitment agency, trafficker or employer. The excessive recruitment fees and the related problem of financing them have persisted despite various measures to address this dilemma. Indeed, the DW groups, civil society, and even the government and other stakeholders need to seriously explore ways of how to effectively address these problems.



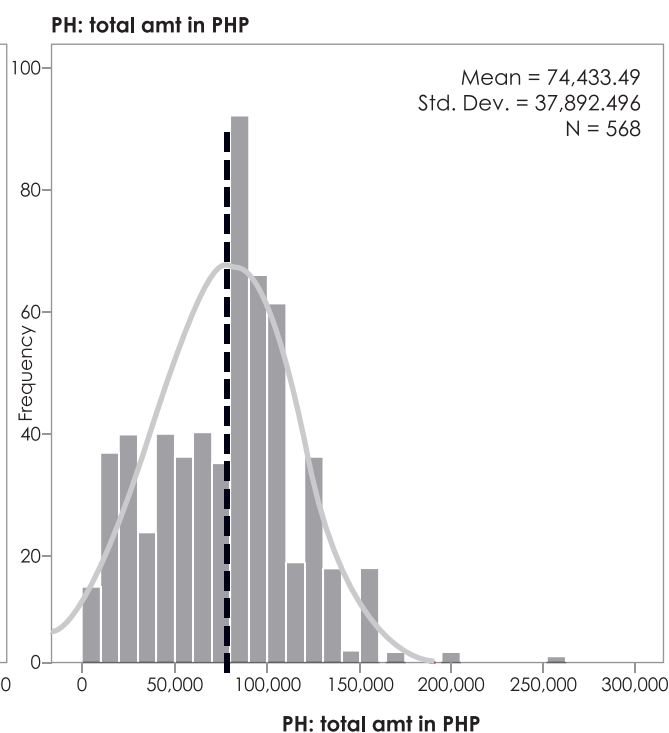
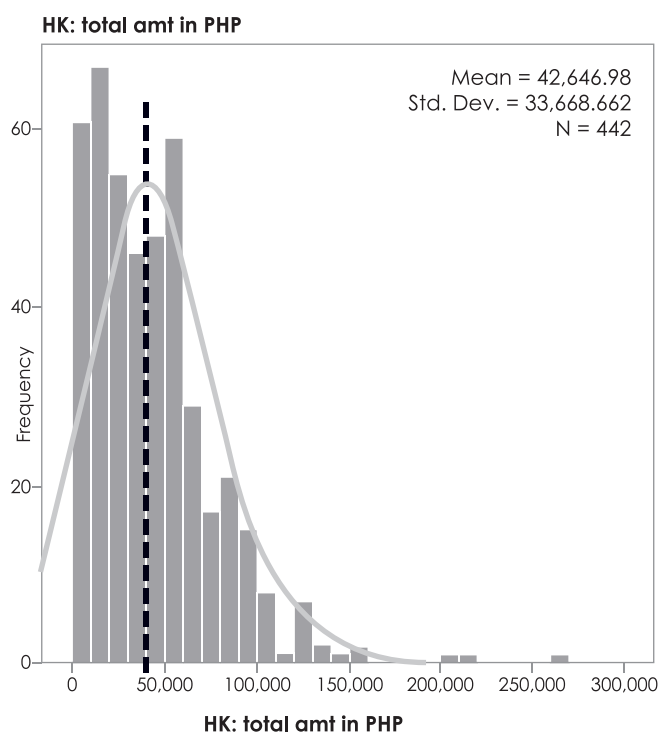
V. RECRUITMENT COSTS AND FINANCIAL ISSUES

A. Agency Charges

The average amount charged by recruitment agencies in Hong Kong is PHP42,647 (HK\$8,123) or equivalent to more than two months' minimum wage ⁴⁶ in Hong Kong – and this is illegal. The Hong Kong Employment Ordinance (Part XII) allows an employment agency to collect "a commission of not more than 10% of [a job-seeker's] first month's salary after a successful placement." ⁴⁷ Despite this law, the average agency charge is almost 21 times the legal limit (HK\$392).

that a number of Hong Kong agencies are complying with it.

The average amount charged in the Philippines is PHP74,433 (HK\$14,178) or 36 times the legal limit in Hong Kong. If we apply POEA's earlier policy (2002-2006) of a maximum of one month's wage, then the amount charged is 3.6 times the maximum limit. But the violation is even more blatant because the POEA GB Resolution No. 6 (24 October 2006) explicitly prohibits the collection of placement fees from HSWs. The graphs below help to show these patterns:



The amounts charged by Hong Kong agencies are widely spread out, ranging from PHP1,575 to PHP262,500 (HK\$300 to HK\$50,000), and cluster around two points – the 10% limit and the average. This pulls the whole average lower than the agency charges in the Philippines. However, despite the blatant and widespread violation of the 10% limit, the data indicates

The bar graphs show the pattern of distribution of all the agency charges in Hong Kong (left) and the Philippines (right). The normal curve (bell-shaped) is superimposed to show the approximate normal distribution of the values. The peak of the normal curve (marked by the dotted line) corresponds to the mean or average amount of all the agency charges (PHP42,647 in Hong Kong and PHP74,433 in the Philippines). As mentioned, the Hong Kong

⁴⁶ The minimum allowable wage (MAW) for foreign DWs is HK\$3,920 (effective September 2012).

⁴⁷ "Employment agency fined for overcharging job seeker," press release, Employment Agencies Administration, 4 April 2011.

graph has clusters near the lowest amount, and also near the average. And the bars tend to be on the left side of the average, therefore making the Hong Kong average lower than the Philippine average.

It is shown in numbers in the table below. The amounts are grouped based on key reference amounts (e.g. one month's wage, Hong Kong's 10% limit, average agency charges) so that

comforting since the average is more than two month's MAW, which is illegal. The rest of the respondents were charged even higher – about 16% of them were overcharged by Hong Kong agencies or paid more than the PHP74,433 average in the Philippines.

In contrast, minority of the respondents (42%) who used agencies in the Philippines paid the average or lower amount; while the majority

Total amount charged by agency (PHP)	Reference/ Significance	HK agencies (% of Respondents)	PH agencies (% of Respondents)
P2,058 and below	*P2,058 is equivalent to 10% of MAW (\$3,920 x 0.1 = \$392 = P2,058 @P5.25/HK\$); limit set by HK law since the 1960s	10.4%	0.4%
Above P2,058 and up to P20,580	*P20,580 is equivalent to 1-month DW wage (MAW) in HK (\$3,920 @P5.25/HK\$); POEA limit set in 2002	19.2%	10.6%
Above P20,580 and up to P42,647	P42,647 is the average charge of HK agencies; this is more than 2 months' MAW (P41,160)	27.4%	13.4%
Above P42,647 and up to P61,740	P61,740 is equivalent to 3 months' MAW (HK\$11,760 @ P5.25)	18.8%	7.9%
Above P61,740 and up to P74,433	P74,433 is the average charge of PH agencies; this is 3.6 times the MAW	8.4%	9.9%
Above P74,433 and up to P102,900	P102,900 is 5 months' MAW	11.8%	40.1%
Above P102,900 and up to P123,480	P123,480 is 6 months' MAW	2.3%	10.6%
Above P123,480	More than 6 months' MAW	1.8%	7.2%
TOTAL		100.0%	100.0%

we can see how the agencies comply with (or violate) these standards: Hence, only one in every 10 respondents was charged the proper amount (10% of one month's salary or less) by agencies in Hong Kong. A check of the data file reveals that this involves 17 agencies or 7% of the 245 Hong Kong agencies. Note that among Philippine agencies, there are hardly any one doing this (actually only one agency). Conversely, this means that 90% of respondents who used agencies in Hong Kong and over 99% of respondents who used agencies in the Philippines were overcharged by the recruitment agencies based on the 10% limit set by Hong Kong law.

Majority of the respondents who used Hong Kong agencies (57%) were charged the average or lower amount. But this is hardly

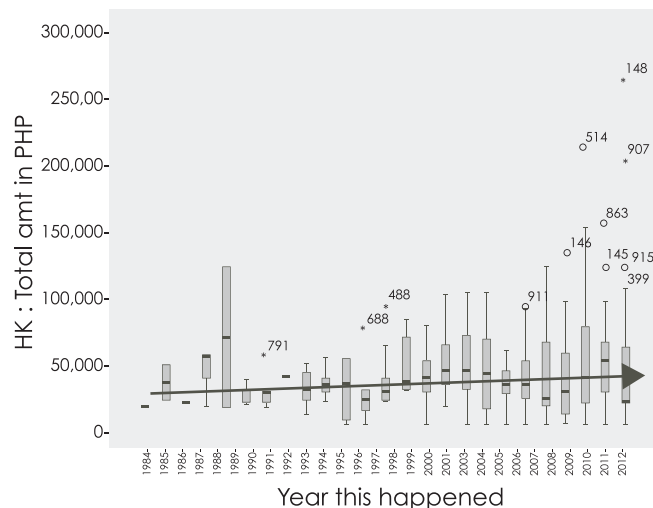
(58%) were charged more than the Philippine average (PHP74,433). This explains why the average agency charges in the Philippines are 1.7 times the Hong Kong average.

B. Pattern of Agency Charges through the Years

The violation of the agency fee cap in Hong Kong and the Philippines is both blatant (far from the zero-fee or 10%-fee or one-month fee ceilings) and widespread (90% in Hong Kong and 99% in the Philippines violate the 10% limit). Has this always been the case?

The following box plots the pattern of agency charges in Hong Kong (left) and the Philippines (right) through the years. Each plot shows the range of agency charges that were paid by all

the respondents every year, from 1984 to 2012. Each vertical box represents the middle 50% of all the amounts charged by agencies during that year. The dark marking inside the vertical box represents the median (middle value) of all the amounts during that year. The “tails” or “whiskers” (line above and below the vertical box) for each year represent the lowest 25% (below the box) and the highest 25% (above the box) of the amounts charged during the year. The “outliers” or single points beyond the tails represent extreme cases (they may be

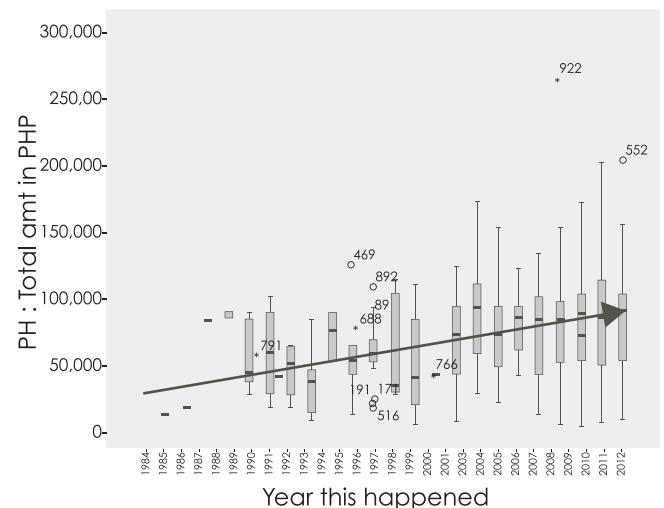


legitimate cases or errors in encoding or data gathering). An approximate trend line across the medians (middle value of each box) shows the pattern of agency charges through the years – which is increasing, on average, since 1984. The rate of increase (slope of the trend line) is faster in the Philippines than in Hong Kong. It is also obvious that the sizes of the vertical boxes and/or their tails have grown over the years, especially in the Philippines – they have not only lengthened but lengthened upwards. This means that the distribution of the charges each year increased on average, and the more expensive charges also increased in prevalence. Even the tails (lowest and highest 25% of the values) have lengthened over the years, especially above the boxes, which indicate that there are more agencies charging higher amounts in recent years.

Linking this with the Philippine government policy of regulating agency fees, especially with the implementation of the zero placement fee (ZPF) policy of the POEA (GB Resolution No. 6,

October 2006), it implies that either the policy is ineffective or was not enforced. Agency fees failed to become “zero” after 2006, they actually continued to increase in amount and in frequency.

The same blatant violation has been happening through the years with Hong Kong’s 10% fee limit – the trend line is not only increasing (even if more slowly), it is far above the zero baseline (where the 10% limit is located).



C. Breakdown of Agency Charges and Recruitment Costs

Appendix D-1 and **Appendix D-2** show the breakdown of the agency charges (average values by year) in Hong Kong and the Philippines, respectively. Note, however, that while majority of the respondents provided information on the total agency charges and total recruitment costs, only a small minority (up to 16%) of them have given the breakdown of agency charges. Therefore, the total agency charges and recruitment costs accurately represent all the respondents, but the data on the breakdown of recruitment costs in Appendices D-1 and D-2 only give us some indication (not the total picture) of how the agencies classify or distribute the amount they collect from the DWs.

We copied the average values for all the years in Hong Kong and the Philippines, and put them in the transposed table below. We also show

(Average; All years)	HONG KONG			PHILIPPINES		
Breakdown of recruitment costs	Mean (PHP)	As % of total agency charges	As % of total recruitment costs	Mean (PHP)	As % of total agency charges	As % of total recruitment costs
Breakdown (amount paid to agency): agency fee	28,315.02	67%	*	59,255.43	80%	*
Breakdown (amount paid to agency): training, TESDA fees	7,166.57	17%	*	7,998.52	11%	*
Breakdown (amount paid to agency): food, lodging	2,159.38	5%	*	5,482.00	7%	*
Breakdown (amount paid to agency): airfare	2,548.82	6%	*	8,018.75	11%	*
Breakdown (amount paid to agency): passport, visa fees	1,275.53	3%	*	1,905.79	3%	*
Breakdown (amount paid to agency): insurance	3,600.00	8%	*	3,413.07	5%	*
Breakdown (amount paid to agency): medical/ dental fees	3,559.38	8%	*	3,698.30	5%	*
Breakdown (amount paid to agency): POEA, OWWA, Pag-Ibig fees	547.50	1%	*	900.00	1%	*
Total agency charges (PHP)	42,539.61	100%	53%	74,433.49	100%	92%
Total: Additional costs (on top of agency charges) PHP	6,852.93	*	8%	6,852.93	*	8%
Total: All recruitment costs (PHP)	80,724.07	*	100%	80,724.07	*	100%

each component as % of the total agency charges and as % of the total recruitment costs. For the minority of respondents who provided a breakdown of the agency charges or the amount they paid to the agency, the table shows that:

- DWs who used agencies in Hong Kong spent the most for agency fees or an average of PHP28,315 or 67% of total agency charges; the appendix shows the amount ranges from PHP358 to PHP100,000. The second biggest component was for training and/or TESDA training fees or an average of PHP7,167 or 17% of total agency charges; amount ranges from PHP100 to PHP30,000. The third biggest components were insurance fees (average of PHP3,600 or 8% of the total charges; range is from PHP1,200 to PHP6,000) and medical/ dental costs (average of PHP3,559 or 8% of total agency charges; range is from PHP1,000 to PHP8,000).
- DWs who used agencies in the Philippines spent the most for agency fees or an average of PHP59,255 or 80% of total agency charges; the appendix shows the amount ranges from PHP700 to PHP120,000. The next biggest expenses were for TESDA/training fees (average of PHP8,000 or 11% of total agency charges; ranging from PHP150 to PHP40,000)

and airfare (average of PHP8,019 or 11% of total charges; ranging from PHP1,000 to PHP70,000). The third biggest expense was for food/lodging arranged by the agency or an average of PHP5,482 or 7% of total agency charges; range is from PHP378 to PHP30,000. The medical/dental costs were similar to the amounts paid by DWs who used Hong Kong agencies or an average of PHP3,698; ranging from PHP375 to PHP11,000.

The "agency fee" figure is far lower than the overall average of the agency charges. While the figure for the other expense items seems bloated, and some are unbelievable – e.g. TESDA training costs averaging PHP7,000-8,000 and some reaching to a staggering PHP40,000; food and lodging averaging PHP5,000 and some reaching PHP30,000; airfare ranging from PHP1,000 to PHP70,000; medical costs from a low of PHP1,000 to a high of PHP11,000.

Many respondents admitted that the breakdown of their total amount of expenses is not really supported by pertinent documents, but only told to them by their agencies. The above range of figures validate this – many of the figures are questionable, and may be a result of the deceitful acts of unscrupulous agencies, especially the padding of other

expense items to lessen the amount labeled “agency fee.”

Therefore, a PHP40,000 “training fee” or a PHP30,000 “food/lodging fee” was probably made up by the agencies to circumvent mandated limits especially on “agency fee.” As argued earlier, regardless of how the agencies juggle the figures around, the financial burden on the DWs is the excessive total amount charged by the agencies, which is illegal both in the Philippines and Hong Kong and downright extortionate.

A major policy review and reform is needed in this area, specifically in establishing a more coherent, practical and implementable concept of “agency or recruitment fees,” which could not be manipulated by agencies to circumvent the law and exploit the DWs.

D. Total Recruitment Costs

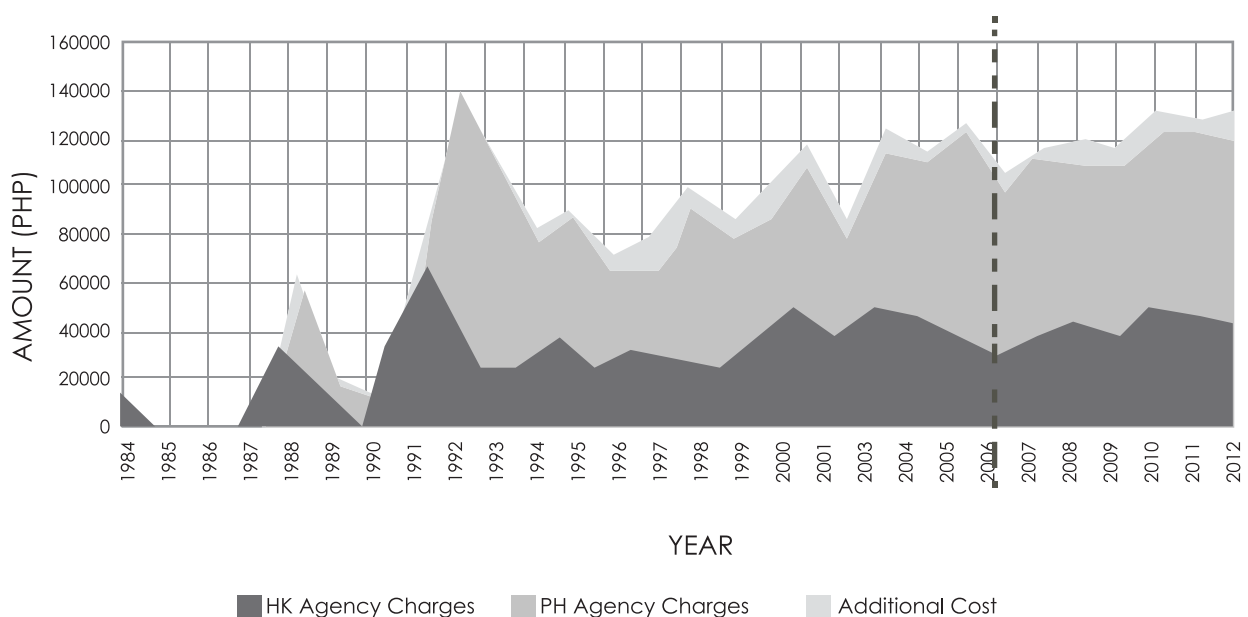
The financial burden of the recruitment process to the DWs is not limited to the agency charges only. On top of the illegal or “extortionate” agency fees in Hong Kong and the Philippines, the domestic workers pay, on their own, for additional recruitment costs, especially when the agencies refuse to include these in the amount that they already collected from the DWs.

Factoring in these additional costs (on top of the agency charges), we get the total

amount of the recruitment costs (agency charges in Philippines + charges in Hong Kong + additional costs). ⁴⁸ The survey shows that the total recruitment costs average at PHP80,736 (HK\$15,378). This represents almost four months’ full wages of migrant domestic workers in Hong Kong.

Has this always been the case? The area graph below shows the total costs of recruitment (topmost line) through the years (1984 to 2012), based on the survey. The different layers (colors) inside the graph show the different components of the total cost each year – Hong Kong agency charges, Philippines agency charges, additional costs to the DWs (see **Appendix C** for table of values for this graph).

If you take any year (e.g. 2006 – see the dotted line), we can easily see that the topmost line (total costs of recruitment) has continued to increase over the years. Thus, while the Hong Kong agency fees (dark shade) have increased, the Philippines agency costs (gray) have increased faster, which contributed more to the overall increase in recruitment costs. Indeed, from 2006 onwards, when POEA issued its zero placement fee (ZPF) policy – and declared that violating it was a grave offense punishable by license cancellation – the fees still continued to sharply rise.



⁴⁸ These amounts are not directly additive; the averages are computed from all the cases.



VI. RECRUITMENT PRACTICES: VIOLATIONS, PROBLEMS AND ISSUES

The fees and costs are the central, but not the only important, recruitment issues confronted by the Filipino domestic workers going to Hong Kong. There are other recruitment practices, problems and violations that also significantly impact the DWs, increase their vulnerability to abuse and exploitation, and undermine the labor protection and welfare enhancement efforts of both the Hong Kong and Philippine governments.

What are these practices, policies, and rights/welfare protection and enhancement measures for DWs in Hong Kong? How are these measures and policies respected by recruitment agencies in the Philippines and Hong Kong?

A. Mandated Wage of Migrant Domestic Workers – Do Recruiters Uphold This?

Hong Kong has a legal, standard employment contract for foreign DWs. This is derived from the Hong Kong Employment Ordinance, which mandates wages and terms and conditions of employment. One of the key stipulations in the DW contract is the minimum wage. As explained above, the MAW is set by the government; the wage stated in the FDW contract must be equal to or greater than the MAW.

The survey shows that more than 14% of the DWs were told by the recruiter to accept wages below the MAW. Almost all of them (who realized they were offered below-MAW) refused and got the prevailing MAW. However, a slightly bigger number (15%) did not even know a minimum wage exists, and therefore accepted whatever the agency prescribed. A small number (1.4%) complained about the below-MAW offer, but were forced to accept it. One of the respondents filed a complaint against it.

For the agencies that offered wages below MAW, the average amount they offered to the

DWs was around HK\$400 below MAW.

And which of the agencies in Hong Kong offered wages below MAW? Survey data shows that 77 agencies (40 in Hong Kong and 37 in the Philippines) were reported by respondents as having offered them wages below MAW.

B. Accurate, Updated and Necessary Information – Do Recruiters Provide These?

Agency gave accurate, clear, updated information	# of Yes	Total	% of total
Information on wage	630	928	67.9%
Information on benefits, working conditions	609	928	65.6%
Information on the employer, household	612	928	65.9%
Information on HK laws, culture, society	584	928	62.9%
Information on how to get help, support groups, services in HK	547	928	58.9%
Average			64.3%

**Multiple answers/not mutually exclusive.*

On average, majority of the respondents (64%) said that the agency provided them with accurate and updated information about wages, benefits and working conditions of domestic workers in Hong Kong. This means more than 1/3 of the respondents did not get proper information about Hong Kong laws, benefits, and working conditions.

The agencies performed worst in providing information on support/help services in case the domestic workers encounter problems in Hong Kong; only 59% of the respondents got accurate information on this.

And how many agencies were involved here? Of the 245 agencies in Hong Kong, 117 provided correct and updated information to the DWs; the rest (128 or 52% of all the Hong Kong agencies) provided at least one instance of wrong or no information at all. Of the 190

agencies in the Philippines, only 81 provided correct and updated information; the majority (109 or 57%) had at least one instance of giving no or wrong information.

Ironically, all the information needed by the DWs are widely available in print and online – in Hong Kong government publications, websites and reference guides on hiring DWs; and information materials from various NGOs, counseling centers in Hong Kong and the Philippines. There is clearly no excuse for recruitment agencies to be ignorant of these information. Thus, there is a need for frontline agency staff to know and constantly be updated about these information and where to find them. They should be required to take annual competency seminars on these basic information about job and destination countries, in the same way that DWs are required to take trainings or seminars. For the DWs, what is needed is to ensure that these information and materials are included in the existing mandatory trainings that they take. Of course, it is another story if an agency resorts to deliberate misinformation or withholding of information to DWs.

In fact, denial or misinformation especially on wages, benefits, labor rights, redress procedures and support groups is critical because it increases the vulnerability of DWs to manipulation, abuse and deception by unscrupulous agencies, employers and traffickers. Ensuring that both the DWs and recruitment agencies are fully aware of these rights and benefits is the first line of defense against recruitment problems.

C. Mandated Benefits for Migrant DWs in Hong Kong – Do Recruiters Respect These?

DW was told by agency that she will not receive this benefit:	# of Yes	Total	Valid %
Weekly day off	152	928	16.4%
Statutory holidays	107	928	11.5%
Annual leave	74	928	8.0%
Health insurance paid by employer	90	928	9.7%
Return airfare paid by employer	69	928	7.4%
Authorized fees to be paid by employer	53	928	5.7%
Average			9.8%
*Multiple answers/not mutually exclusive.			

In addition to the MAW, the contract and Employment Ordinance specify days off, statutory holidays, right to unionize and other basic labor rights. The Hong Kong immigration guidelines on hiring FDWs further specify payment of fees related to hiring FDWs. It is an offense in Hong Kong to violate the Employment Ordinance as well as the standard employment contract for FDWs since these are legal, enforceable instruments.⁴⁹

The Philippines has also several laws, policies and regulations defining the wage and terms of work of the migrant DWs. The POEA's "package of reforms" (2006) stipulates the minimum age, minimum wage, training and placement fee policies for HSWs.

Do recruitment agencies ensure that these laws and policies are followed? This research only asked respondents questions about compliance by Hong Kong agencies with Hong Kong laws.

It is surprising that almost 10% (1 in every 10 DWs) were pressured or misled by agencies into believing that some of their rights and benefits mandated by law are supposedly optional or can be withdrawn. How many agencies were involved in this deception? Of the 245 agencies in Hong Kong, 153 upheld the mandated benefits and provided them to the DWs. But 92 agencies or 38% of the agencies there had at least one instance of denying the DWs one of their benefits. While of the 190 agencies in the Philippines, the majority or 110 agencies (58%) did not attempt to deny any of the benefits; but 80 agencies or 42% tried to deny the DWs at least one of their benefits.

These kinds of malpractices by agencies were prevalent among Indonesians, especially in the early 2000s, which resulted to widespread underpayment, denial of days off and holidays, etc. Unscrupulous recruiters in collusion with employers told the Indonesian DWs that they will receive less MAW (compared to the Filipinos) because the Indonesians could not speak good English (even if they speak better Cantonese) or have less skills or education. Misinformation on days off and holidays is even higher at 16% and 12% respectively.

⁴⁹ See: "Your guide to services in HK"; HK Immigration guidelines.

The safeguards provided by the information on rights and benefits are crucial because they enable the domestic workers to avail of their rest days and holidays and be aware of any other violations against them. This denial of rest days among Indonesians was rampant in the early 2000s and used as a control strategy of unscrupulous employers and agencies in stifling any complaints from the DWs.

Hence, the following are possible interventions on how to prevent agency staff from denying DWs accurate information or giving them false information:

1. Ensure that the said updated and accurate information are part of the PDOS (pre-departure orientation seminar) and PEOS (pre-employment orientation seminar) or other required trainings for DWs.
2. Require all frontline staff of recruitment agencies in the Philippines (and other agencies seeking accreditation with the Philippine Consulate General in Hong Kong) to undergo competency trainings – similar to trainings required for DWs – focusing on DW labor and human rights, pertinent laws and policies, worker benefits, grievance and protection mechanisms, support groups, etc.
3. The updated and concise information references should be part of the standard training kit, and as an information packet, that should be provided to the DWs during those trainings and by the agencies. They can be published by the Philippine and Hong Kong authorities.

D. Personal Documents – Do the DWs Keep These?

DW was asked by agency to surrender this document	# of Yes	Total	Valid %
Passport	107	928	11.5%
ID	17	928	1.8%
ATM/bankbook	7	928	0.8%
Average			4.7%

**Multiple answers/ not mutually exclusive.*

Keeping another person's identity and personal documents is illegal under Hong Kong laws. According to the survey, the passport is the

document that agencies most frequently want to keep or to surrender to them by the DWs. Although the survey shows that the actual incidence is low, with less than 5% of the agencies asking to keep any of these documents. But a closer look reveals that whereas Hong Kong IDs and ATM cards are seldom asked by the agencies, more than 11% of the respondents were requested to hand over their passports. Many respondents, however, refused to give their personal documents. On the other hand, for those who were forced to surrender their documents, the agency kept them for an average of 3.5 months; with the longest lasting for two years.

How many agencies were involved? Of the 245 agencies in Hong Kong, 175 did not attempt to ask the DWs to give up their passport, IDs or personal documents for "safekeeping." Thus, 70 agencies (28%) actually demanded the DWs to surrender any of these documents. While of the 190 agencies in the Philippines, 119 did not press for the DWs to give any of their documents. Thus, 71 agencies (37%) did in fact asked for – and/or succeeded in (illegally) getting – any of these personal documents of the DWs..

E. Other Problems and Restrictions that Recruiters Impose on the DWs

DW was told by agency ...	# of Yes	Total	Valid %
Not to "create trouble" or complain when she works in HK	206	928	22.2%
Not to join organizations when she works in HK	37	928	4.0%
Not to join rallies, demonstrations when she works in HK	57	928	6.1%
To do unpaid, "trial" work for the agency or its staff	38	928	4.1%
Average			9.1%

**Multiple answers/ not mutually exclusive.*

Historical experience in Hong Kong has shown that the key problems of DWs – on wages, benefits, protection, rights, abuses – were most effectively addressed by them through interaction with the wider domestic workers' community as well as joining or coordinating with allied organizations and other support

groups. A lot of DW and migrant groups also conduct various forms of education programs, demonstration and other social activities that raise awareness and unity among them. Therefore, preventing DWs from going out (e.g. no days off or holidays) or prohibiting them from joining organizations and DW activities could undermine their situation – they become more vulnerable to abuse because they are detached from groups and activities that could have provided them useful job-related information and actual support.

The survey shows that, on average, almost 10% of the respondents were told by the agency not to join those activities and groups or just “not to create trouble.” The highest incidence, 22% or nearly a quarter of the DWs, were asked not to make any complaints or “trouble.” Conditioning DWs to acquiesce to illegal practices and abuses is an alarming practice by agencies, and must be discussed as part of their rights-based education and training.

How many agencies were involved in this offense? Of the 245 agencies in Hong Kong, half (123 agencies) did not make any restrictions or demanded preconditions to the DWs; thus, almost the other half (122 agencies) committed this wrongdoing. While of the 190 agencies in the Philippines, the minority (85 agencies or 45%) did not impose or warned of any restrictions; but the majority (105 agencies or 55%) did.

F. How Are These Recruitment Factors Interrelated?

We have discussed above the categories of recruitment problems, practices or violations. Are any of these categories interrelated? What are the patterns of these relationships? We can test the degree and direction of their connection by using a correlation measure.

We will use the “Pearson Product Moment Correlation” (usually called “*Pearson's r*”) since we have quantitative measurements for the problems discussed above. We will not discuss the procedure here; suffice it to say that the value of Pearson's *r* will always be between -1 (perfect negative correlation) and

+1 (perfect positive correlation). Of course, the value 0 is in between, and this means that there is no correlation at all between the two variables we are testing: the behavior of one variable is totally unrelated to the behavior of the other. Negative correlation means when one variable increases, the other decreases; positive correlation means they move in the same direction. Given the value of *r*, we decide whether it is significant or not based on a certain “confidence level” that we choose – usually 95% or 99% (i.e. we are 95% or 99% sure that the relationship is statistically significant, and not by accident or chance).⁵⁰

Appendix E shows the correlation matrix of the variables (recruitment problems/practices). The numbers in the matrix represent the Pearson's correlation coefficient (*r*), using a two-tailed test because we don't know if the relationship is positive or negative. The highlighted numbers indicate that the two variables connecting them are significantly correlated at the 95% or 99% confidence level. Here is the summary of the correlations:

⁵⁰ Web Center for Social Research Methods: “Correlation” (<http://www.socialresearchmethods.net/kb/statcorr.php>); last accessed 7 April 2013. You can check this website or other statistical references for more discussion on correlation measures and procedures.

This factor/ problem has significant relationship with these other factors/problems:
Year (when DW paid the agency)	<ul style="list-style-type: none"> • HK agency charges – positive relationship (99% sure); as the years progressed, the amount collected by the HK agency also increased. • PH agency charges – positive relationship (99% sure); as the years progressed, the amount collected by the PH agency also increased. This has serious implication about the ZPF policy of POEA: agency charges have not decreased, much less been reduced to zero. This means the policy is blatantly violated and is not enforced. • Total recruitment costs – positive relationship (99% sure); as the years progressed, the total recruitment costs also increased. • Wage offered by agency – positive relationship (99% sure); as the years progressed, the wage offered by the agency also increased. This is expected since the MAW increased through the years and agencies are mandated to offer the MAW. • Total # of instances DW was asked by agency to surrender documents – positive relationship (99% sure); as the years progressed, there were more instances of the agency asking the DW to surrender her passport/ID/etc. • Total # of instances of other problems with agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure); as the years progressed, there were more instances of these problems with the agency.
HK: Total agency charges (PHP)	<ul style="list-style-type: none"> • Total recruitment costs – positive relationship (99% sure); as the HK agency fee increased, the total cost of recruitment also increased. This correlation value is high (0.509), indicating a strong connection. This is logical since HK agency charges is one component of the total recruitment costs. • Total # of instances of wrong or no information from the agency (about wage, benefits, laws, working conditions in HK, support groups) – positive relationship (99% sure); as the amount collected by the HK agency increased, the instances of the agency giving no or wrong information to the DW also increased. • Total # of instances DW was asked by agency to surrender documents – positive relationship (99% sure); as the amount collected by the HK agency increased, the instances of the agency asking the DW to surrender her passport/ID/etc. also increased. • Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure); as the amount collected by the HK agency increased, the DW also experienced more of these problems with the agency.
PH: Total agency charges (PHP)	<ul style="list-style-type: none"> • Total recruitment costs – positive relationship (99% sure); as the PH agency charges increased, the total cost of recruitment also increased. This correlation value is very high (0.797), indicating a strong connection (stronger correlation in PH than in HK). This is logical since PH agency cost is one component of the total recruitment costs, and PH agency charges are much higher than HK agency charges. • Wage offered by agency – positive relationship (95% sure). • Total # of instances DW was asked by agency to surrender documents – positive relationship (99% sure). • # of months DW documents are kept by agency – positive relationship (99% sure); this value is high (0.429). • Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure).
Additional costs – on top of agency charges (PHP)	<ul style="list-style-type: none"> • Total recruitment costs – positive relationship (95% sure).
Total: All recruitment costs (PHP)	<ul style="list-style-type: none"> • Total # of instances of wrong or no information from the agency (about wage, benefits, laws, working conditions in HK, support groups) – positive relationship (99% sure). • Total # of instances DW was asked by agency to surrender documents – positive relationship (99% sure). • # of months DW documents are kept by agency – positive relationship (99% sure); this value is high (0.410). • Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure).
Wage offered by agency	(All links already discussed above: see Year, PH agency charges)
Total # of instances: wrong or no info.	<ul style="list-style-type: none"> • Total # of instances DW was told by agency that she will not receive some benefits (days off, holidays, insurance, airfare paid by employer, etc.) – positive relationship (99% sure). • Total # of instances DW was asked by agency to surrender documents – positive relationship (99% sure). • Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure).
Total # of instances: benefits will be denied	<ul style="list-style-type: none"> • Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure).

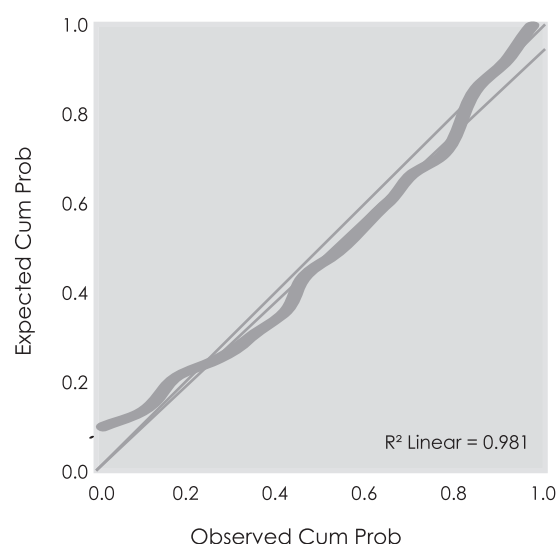
This factor/ problem has significant relationship with these other factors/problems:
Total # of instances: surrender documents	<ul style="list-style-type: none"> Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (99% sure).
# of months DW documents kept by agency	<ul style="list-style-type: none"> Total # of instances of other problems with the agency (made to do unpaid trial work, warned not to complain, not to join rallies or organizations in HK) – positive relationship (95% sure).
Total # of instances: other problems	(All links already discussed above. Linked to almost all, except two variables: wage offered by agency and total additional costs).

We have established above that certain recruitment practices and problems are strongly correlated. In the Philippines, the higher the agency charges are, the more incidence of the agency violating a DW's rights, like asking her to surrender her passport or other personal documents, warning her not to complain or join groups in Hong Kong. While in Hong Kong, the more the agency charges, the higher the incidence of the agency providing no or wrong information to a DW, asking her to surrender her personal documents, and warning her not to complain or join groups in Hong Kong.

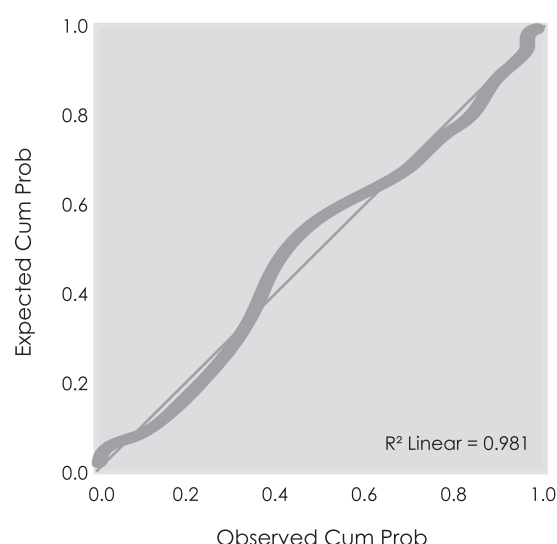
Therefore, it is equally important for Hong Kong and Philippine authorities and of course the organizations of DWs and trade unions to expose and go after the agencies that violate the rights of DWs, especially because the same agencies would most likely violate also the regulations on agency fees.

It is beyond the scope of this paper,⁵¹ but a further check on the data file of the survey reveals that there are also very strong statistical correlations between the agency malpractices and the actual working condition of the DWs – underpayment, noncompliance of rest days, holidays and length of workday, withholding of documents by employers, physical abuses, etc. (See regression plots, right). This is another compelling reason why recruitment abuses need to be promptly and actively addressed to prevent further violations and abuses of the DWs.

Normal P-P Plot Regression
Standardized Residual
Dependent Variable:
HK: Total agency charges (Php)



Normal P-P Plot Regression
Standardized Residual
Dependent Variable:
PH: Total agency charges (Php)

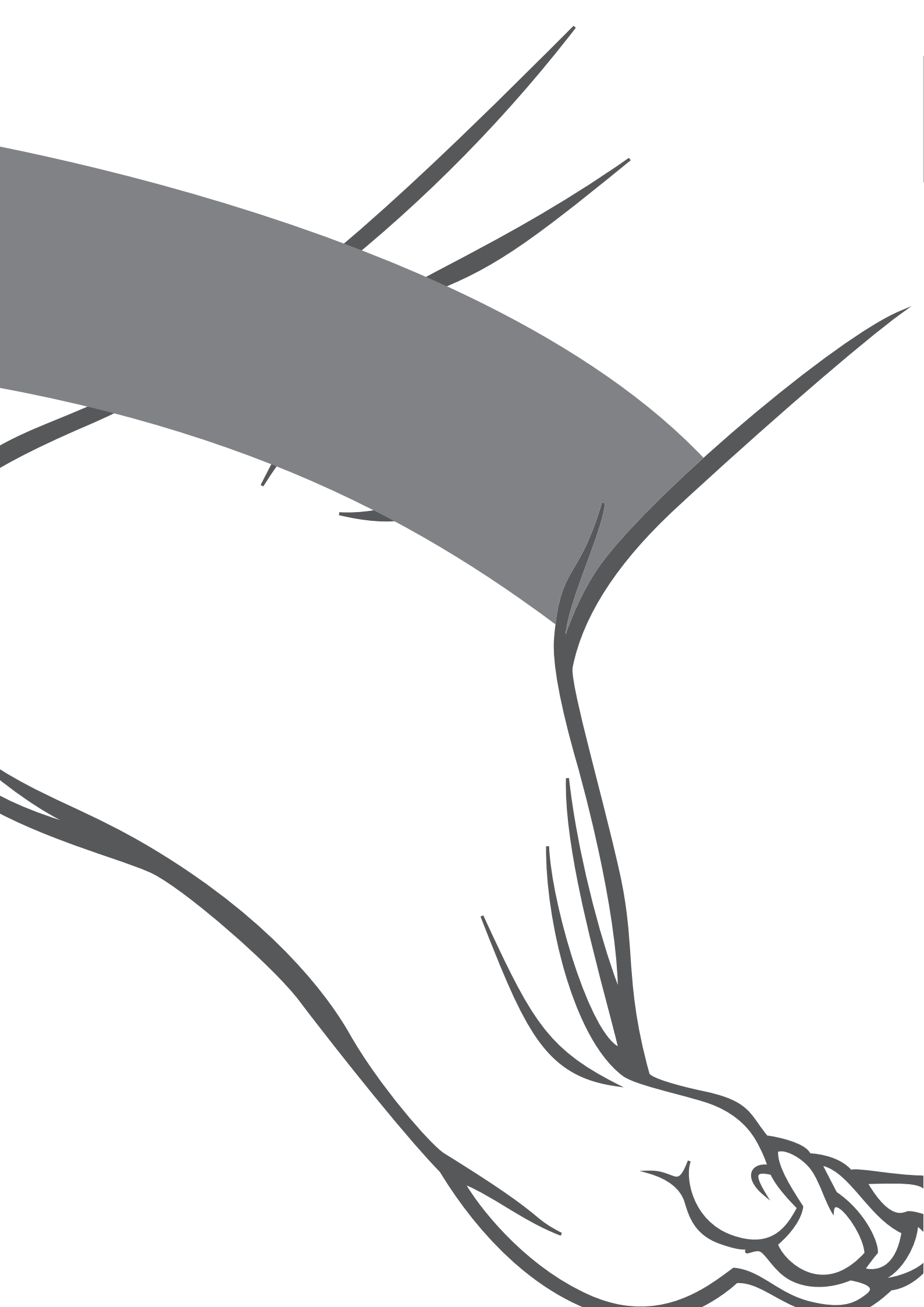


⁵¹ This will be discussed in the second report, which will focus on the working conditions of Filipino DWs in Hong Kong.

G. Summary Results and Observations (Recruitment Practices: Violations, Problems, Issues)

dilemma are needed in the Philippines and Hong Kong. Likewise, it implies the need for a strong bilateral collaboration since agencies operate on both sides.

1. Hong Kong and Philippine agency charges have increased through the years – significant correlation. Meaning, regulations on the amount being charged by the agencies are ineffective or not effectively enforced, especially in the Philippines, where there is supposedly a zero placement fee policy.
2. Total costs – reflect the real and total financial burden of the DWs vis-à-vis the recruitment process. Some agencies are padding their recruitment charges by transferring some items to other “additional costs” or happen through the collusion between some Hong Kong and Philippine agencies.
3. Denial of information is prevalent, with 1/3 of DWs receiving inaccurate or no information at all about wages, labor laws, benefits, working conditions in Hong Kong. More significantly, information on DW support groups in Hong Kong is very scarce if not non-existent.
4. Certain benefits not provided affect almost one in every 10 DWs in Hong Kong. The number of mandated days off and statutory holidays are the most common benefits that agencies claim the DWs will not completely receive.
5. Surrendering documents – although overall this affected less DWs (5%), but it is disturbing to know that the incidence is highest for passports or almost 12%. This is illegal and critical since it denies mobility and effectively put the DW in a bonded situation.
6. Keeping of documents has many significant correlations with other factors.
7. Other restrictions imposed by agencies have several correlations with other factors.
8. Further in-depth analyses and prompt policy and implementation response to address this



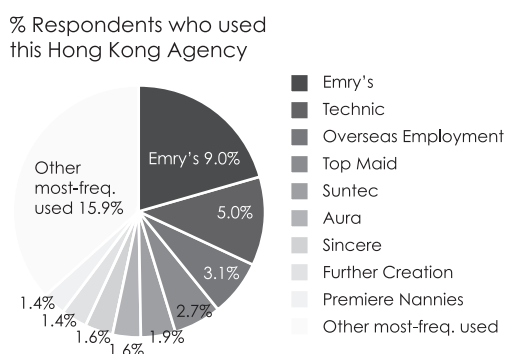
VII. EVALUATING THE RECRUITMENT RECORD OF INDIVIDUAL AGENCIES IN HONG KONG AND THE PHILIPPINES

A. Most Frequently Used Agencies in Hong Kong and the Philippines

We have talked from the start about recruitment agencies in the Philippines and Hong Kong. So what are these agencies? Which of them have contributed to the problems and violations discussed in the preceding chapters?

The survey generated a total of 435 unique names of recruitment agencies that Filipino DWs used from 1984 to 2012 to process their deployment or to continue their work in Hong Kong – 245 agencies in Hong Kong and 190 in the Philippines.⁵² The number of Hong Kong agencies catering to Filipino DWs echoes also the number of recruitment agencies catering to Indonesian DWs (271), which came out from a 2007 baseline research.⁵³ In fact, among the 8 most frequently used agencies named in that research are Overseas Employment (No. 1) and Technic (No. 2) – also among the same top agencies recruiting Filipino DWs in this research. This proves that agencies in Hong Kong handling the recruitment of various DW nationalities are not exclusive only to Filipinos or even the Indonesians.

The pie charts below show the frequency of usage (% of total respondents) of the top agencies in Hong Kong (left) and the Philippines (right).

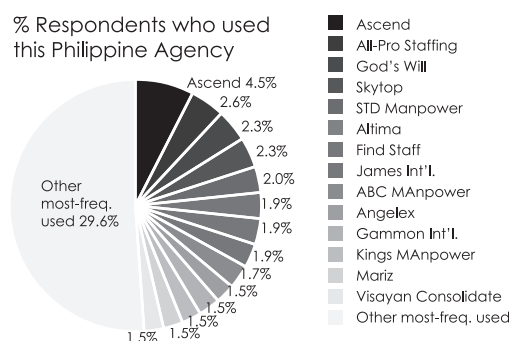


⁵² These names need to be further verified with Philippine and Hong Kong government licensing agencies. Some may have been misspelled; some names that are similar but listed as different agencies might be the same company.

Of the 245 agencies in Hong Kong, 25 or 10% of the total have been used most frequently (used by 5 or more DW respondents). **Appendix A** lists the 25 most frequently used agencies in Hong Kong, including information about their license status. But the license status and accreditation of these agencies still need to be checked with the Hong Kong government Gazette, ⁵⁴ as well as the "List of accredited recruitment agencies" maintained by the Philippine Consulate General in Hong Kong. A check with the POEA online search showed that these Hong Kong agencies are not in the POEA database.⁵⁵

There are 190 agencies in the Philippines that were named by the respondents; of these, 43 or 23% of the total are most frequently used by five or more respondents. **Appendix B** gives a list of the 43 most frequently used agencies in the Philippines. Again, we checked their license status in the POEA online search facility, and included the information in **Appendix B**.

The POEA online database does not indicate the principals or the main partners in Hong Kong of the agencies in the Philippines. However, the accreditation list of the Philippine Consulate in Hong Kong identifies the principals in the Philippines of Hong Kong agencies. These information need to be cross-referenced and analyzed so that we can establish the primary linkages, as well as the accountabilities of the Philippine and Hong Kong agencies. The survey



⁵³ 2007 underpayment 2, p. 44 ff.

⁵⁴ HK government gazette – HK government's Logistics Department. website

⁵⁵ POEA website – online search of licensed agencies

has generated a list of possible links based on the agencies used by respondents both in Hong Kong and the Philippines, which we can scrutinize and compare with their registered principals.

Going back to the data at hand, we can see that the most frequently used agencies in Hong Kong and the Philippines play a dominant role in the recruitment industry. The top 25 Hong Kong agencies, although constituting only 10% of all the agencies used in Hong Kong, handled nearly half or 44% of all the respondents. While the top 43 Philippine agencies, which comprise only a quarter or 23% of all agencies used in the Philippines, processed the majority or 58% of all the respondents.

We can also see that there is more concentration in Hong Kong in the use of recruitment agencies, which may suggest a more dominant market role for these agencies. The 10% of Hong Kong agencies that control nearly half of the recruitment processing there – if the survey results truly demonstrate the recruitment market conditions in Hong Kong – can potentially behave like a cartel dictating on the recruitment costs and operations.

Among the top 10% Hong Kong agencies, the most dominant is Emry's, which is used by at least 9% of all respondents or almost one in every 10 respondents – the highest usage rate in both Hong Kong and Philippine agencies. Ascend, the top Philippine agency, has a usage rate of only 4.5%. While Technic, the second most used agency in Hong Kong, has a usage rate of 5%. The top Hong Kong agencies are Emry's, Technic, Overseas Employment, Top Maid, Suntec, Aura, Sincere, Further Creation and Premiere Nannies. These nine agencies handled more than a quarter or 28% of the recruitment processing of all respondents. The dominant position of a few agencies is an interesting area for follow-up study, especially because the same agencies have also a leading role in the recruitment processing for DWs from Indonesia and other countries.⁵⁶

⁵⁶ Previous researches have shown that recruitment agencies were a key factor in the widespread underpayment, charging of extortionate fees, and abusive working conditions of Indonesian DWs in Hong Kong in the early and mid-2000s. See "2005 underpayment; 2007 underpayment 2," AMC research.

Although compared to Hong Kong, there is less concentration of agencies in the Philippines, but the survey also shows the dominant market role of the top 43 Philippine agencies, which compose 23% of the total Philippine agencies that also control nearly 60% of the country's recruitment processing. Like in Hong Kong, Ascend in the Philippines (4.5% usage by respondents), handles nearly double the number of recruitment processing by the rest of the top Philippine agencies. Hence, All-Pro, the No. 2 agency, has a usage rate of 2.6% only. Fourteen of the top 43 agencies posted the highest usage rates and they managed 29% of the recruitment processing of all respondents. These 14 agencies are Ascend, All-Pro Staffing, God's Will, Skytop, STD Manpower, Altima, Find Staff, James International, ABC Manpower, Angelex, Gammon International, King's Manpower, Mariz, and Visayan Consolidated.

License check of top Philippine recruitment agencies

The license check on the top 14 agencies in the Philippines (see **Appendix B**) shows that 13 are registered and have valid licenses with POEA. But the third most used agency, God's Will, is not in the said POEA list. A search for "Goodwill," which can be the nearest possible name, yielded a certain "Goodwill Promotions & Overseas Employment Services Inc." and classified as "forever banned" (since 1985).

The registration and licensing of the agencies – done independently and separately by the Hong Kong and Philippine authorities – creates a possible gap in terms of monitoring, accountability and compliance of these agencies. Included here are the respective recruitment process in the Philippines and Hong Kong, for instance how they recruit in the Philippines (for Hong Kong agencies), and how they deploy DWs and look for or negotiate with employers in Hong Kong (in the case of the Philippine agencies). If the agencies across the oceans have some sort of collaboration, their "partnership agreements" are however not indicated in the POEA list; thus, there is no way for the DWs or the public to establish any linkage between a Hong Kong agency and its Philippine counterpart.

As of this writing, we do not have a copy of the accredited list of agencies of the Philippine Consulate, and therefore the status of the agencies in Hong Kong has not yet been checked.

In analyzing the operations of recruitment agencies, it is important to know how they operate not only in their base country but also in other countries. Thus, POEA licensing should require agencies in the Philippines to disclose their Hong Kong principals or partners. If this is already being done, the information should be a matter of public record and posted on the POEA online database and in other form of publications. The Philippine Consulate in Hong Kong maintains an accreditation list of Hong Kong agencies allowed to process the recruitment of Filipino DWs going to or working in Hong Kong. This information needs to be linked or integrated with the POEA online database so that the information for all the agencies – if they are registered in the Philippines or Hong Kong or both, if they are accredited, and who are their foreign principals – will be more extensive. This will help in establishing individual, joint, solidary accountability and liabilities of recruitment agencies wherever they operate.

Hong Kong trade union and migrant advocates further suggest that relevant information on the top officers of the agencies, both in the Philippines and Hong Kong, should also be made available in the same publicly-accessible database. This will prevent unscrupulous agencies and the people behind them from escaping or circumventing the law by simply closing a blacklisted agency and opening a new one under a new name.

The effectiveness of both governments to address the recruitment problem and to exercise their regulatory powers have to be firmed up through a binding bilateral agreement on the regulation of recruitment process and enhancing protection of DWs. No such bilateral pact exists to date, although this is prescribed in several ILO conventions which both the Hong Kong and Philippine governments are signatories. Therefore, it is imperative to institute a rights-based, regulatory

agreement on DW recruitment between Hong Kong and the Philippines.

B. Agency Scorecard: Record of Bad Practices and Recruitment Violations of Each Agency

Now we know the name of the leading agencies both in Hong Kong and the Philippines. Let us analyze which among them are guilty of certain “bad practices” or violations that caused or worsened the overall recruitment problems. Which of them are the more serious offenders? Are there patterns and connections between certain agencies and particular problems? How could a specific agency be compared with the whole group of recruiters mentioned in the survey?

To do this, we have created individual records of each agency – called the “recruitment scorecard” – based on the results of the survey. Since we have a total of 435 agencies named by the respondents, we could not present and discuss the complete individual scorecards here. However, their records are in the survey data file, which can be examined thoroughly in the computer.⁵⁷

Appendix F-1 and **Appendix F-2** respectively show the agency scorecards of the most frequently used agencies (top 25) in Hong Kong and the Philippines. Each column represents a category of recruitment practice or violation. The numbers shown are the average or mean values for each category (indicated in the column headings) as they apply to each specific agency (rows).

Reading across the name of each agency, we can immediately see the record of each one in terms of: (a) recruitment costs (agency charges in Hong Kong and the Philippines, additional costs, and total recruitment costs); (b) the amount of wage offered by the agency to the DW, and whether it is above or below the applicable MAW at that time; (c) the total instances of the agency giving no or wrong information to the DW; (d) the total instances the agency told the DW that she will not receive

⁵⁷ APL/PLU owns and keeps the data file.

certain mandated benefits in Hong Kong; (e) the total instances that the agency asked the DW to surrender her passport or personal documents; and (f) the agency asking the DW to do unpaid trial work or prohibit her from joining organizations or rallies in Hong Kong.

It is not practical to show all the listings in this report, but the computer file/database of the agency scorecards can be sorted in order to show – per column (i.e. per category of problem or violation) – what are the agencies with the worst practices or violations. And since the usage rank of each agency is also shown, we can keep track of the top or most frequently used agencies in Hong Kong and the Philippines to see whether they are among the agencies with the worst practices in certain categories.

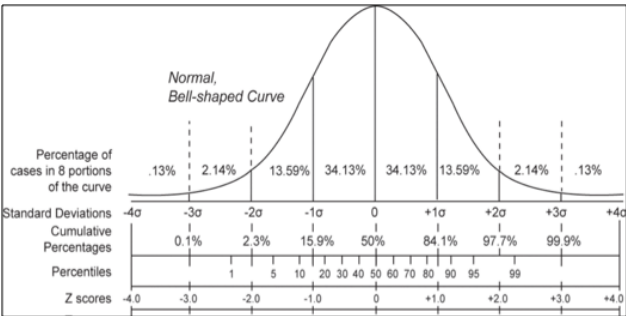
C. Comparing the Record of Each Individual Agency with the Whole Group

The above scorecard can be used as a reference or watch list for the Hong Kong and Philippine authorities, DW organizations and trade unions in identifying the agencies with actual and potential violations, and targeting them for further investigation.

These scorecards are useful because they show the actual or average values of the problem being measured (e.g. average amount charged by each agency). The limitation is, we could not immediately compare the values between categories of problem (e.g. amount of fee and total number of wrong information given by the agency). It is also difficult to compare how the value for one agency compares with the values of all other agencies. If an agency rationalizes that its actions are just following the “normal industry practices” and that they are not the worst in the bunch, can we refute this excuse?

But we can easily deal with this dilemma by standardizing the above values or scores so that we can legitimately compare each case against other cases in the same category of problem, or across several categories of problems. We can also compare an individual

agency's record against other agencies' and against the average record of the whole group. We can also consolidate the values into a central value that represents the overall, composite score of an agency.



We do this by using the **z-score**. It is a statistical measure that standardizes varying scores into a standard measure based on how close or far away a case (e.g. amount of fee collected, number of violations or bad practices, etc.) is from the group average. The z-score is popularly used in generating scores for university exams, sports rankings, professional licensing exams, etc.⁵⁸

A positive z-score means the agency's performance is above the group average; negative means it is below the group average; zero means its performance is exactly on average or equal to the group mean. How much above or below the group average? The z-score value is expressed in “standard deviations” (**sd**) to measure the extent of deviation from the group average. (See diagram for illustration). One standard deviation (**1sd**) means the case is 1 standard distance away (below or above) from the group average; as shown in the diagram (cumulative %), statistically it means the case is above or below 84.1% of everyone else in the group. Two standard deviations (**2sd**) means the case is above/below 97.7% of everyone else in the group; and **3sd** means it is 99.9% above/below everyone else. Therefore, the bigger the absolute value of the sd, the more extreme (below or above average) the case is.

The following tables are the z-scores of the Hong Kong and Philippine agencies – these are only

⁵⁸ For discussion on the concept of z-score and how to compute it, see basic statistics references; you can also see <https://statistics.laerd.com/statistical-guides/standard-score.php>

extracts from the full list. The tables below show the agencies with z-scores of more than +1sd for a chosen category (bad practice, problem, violation) or when they exceed 84% of all the agencies in the amount that they charge or in the number of violations or problems reported against them.

D. Z-scores of Hong Kong and Philippine Agencies: Recruitment Costs

Hong Kong

The table below shows the z-scores of Hong

Kong agencies on the cost-related categories – the total agency charges collected in Hong Kong and the Philippines, all other additional costs paid by the DW herself, and the total recruitment costs for the DW (the sum of all the said costs). We can see in each column how a Hong Kong agency compares with all other agencies in Hong Kong in terms of these costs. To facilitate our analysis, we will only discuss here the total recruitment costs (column F) because it reflects the total financial burden of the DW in going through the recruitment process. The table is sorted on column F, from the highest z-score to the lowest. Only Hong Kong agencies with z-scores of 1sd or higher are shown below. Their usage ranks are also shown (column A) so that we can check if they are among the most frequently used agencies in Hong Kong.

A	B	C	D	E	F*
Usage rank**	HK: Name of agency	Z-score: HK: Total agency charges	Z-score: Phil: Total agency charges	Z-score: Additional costs (on top of agency charges)	Z-score: Total recruitment costs
99	Grand Asia Placement	1.0900018	3.3137567		4.5904651
99	Coldroy Agency	1.7157570	.6747118		2.7648396
99	Sunshine	1.5685205	.5427595		2.5330142
99	Kung Wa Agency	.6608368	.9386163		2.1661736
99	Smart Helper Agency	.7035060	.7749955	-.4542808	2.1441270
99	Tee Agency	.2397109	1.2025208		2.0664655
99	Agency Royal	.9354035	.4108073		1.9186767
99	Carieg Agency		.6747118	-.4840412	1.7524811
99	Teh Emp.	1.0900018	.0149505		1.6926469
42	D&H Employment Agency	2.0102300	.9386163	1.6587046	1.6675325
60	Anlida Employment Agency		1.9942343		1.6057124
99	Cobo Employment Agency		1.9942343		1.6057124
99	Unlimited		1.9942343		1.6057124
99	Fancy	.6262068	.1469028		1.4434346
99	Delnus Emp. Agency		.6747118		1.4202520
99	Everybody Emp.	-1.1736271	1.7303298		1.4174585
99	Unique Recruitment Agency	-.6105799	.9386163	.4682903	1.3970695
99	Splendid	-.1738396	.6747118	-.3501196	1.3815662
26	Great Top Employment	2.1412705	.1469028	1.2122993	1.3321584
99	C&K Agency	.4716085	.0941219		1.2753611
99	C&C Emp.		1.5719871		1.2347917
99	Humania International	-1.1711535	1.4664253		1.1875804
60	Kaishing Agency	.6262068	-.2489540	-.4877612	1.1785740
99	David Chung		1.2025208	.5873317	1.1606075
99	ABNC Emp.	2.5991761			1.1420615
99	Glory International		1.2025208	.4682903	1.1420615
99	Guru Employment	-.7653329	1.0177876		1.1129616
99	AAA Emp.	.3170101	.0149505		1.0841051
11	A&E Employment Agency	.7035060	.7406879	-.9517252	1.0359417
42	Altima Agency	-.0878903	.4108073	4.9323441	1.0358082
99	Mrs. Chaw Agency		1.2025208	-.2757187	1.0261488

*The table is sorted on column F (total cost), from the highest to the lowest z-score.

**The usage rank: 1 = most frequently used agency by the respondents; lowest rank for Hong Kong agencies is 245.

The table suggests that topping the agencies with the highest agency charges and recruitment costs are Grand Asia Placement, Coldroy, Sunshine, Kung Wa, Smart Helper and Tee Agency. They have z-scores of over +2 sd (Grand Asia is +4 sd). Meaning, they exceed more than 98% of other agencies' recruitment costs. This needs further verification and investigation.

The average agency charges in Hong Kong is PHP42,647. So even if an agency has a z-score of 0 sd, this still means the agency is collecting PHP42,647, which is way over the 10% limit under Hong Kong laws (HK\$392 = PHP2,058 @5.25/ HK\$). Emry's, the top or most used agency in Hong Kong, has a z-score of (-)0.95; meaning it charges a bit below the Hong Kong average charge, which still violates the 10% limit. On the other hand, the Hong Kong average is almost 21 times the 10% limit.

In column A (usage rank), of the 25 most used agencies in Hong Kong, only one – A&E Employment (rank No. 11; z-score = 1.04 sd on total recruitment cost) – is included in the list of agencies charging the highest recruitment costs

in Hong Kong. But the 26th most used agency, Great Top Employment, is already in the list.

Philippines

The table below shows the z-scores of the Philippine agencies pertaining to recruitment costs. Like the Hong Kong table, we will only analyze the z-scores for the total recruitment costs (column F). The table is sorted on column F, and only agencies with z-scores of 1sd or higher are listed here.

The table suggests that leading the list of agencies with the highest recruitment costs are Philippine Integrated, Infinity, Light & Hope, Hopewell, Prima, and World View. Hence, the DWs who used these agencies ended up spending the biggest amounts or higher than 98% of all the domestic workers surveyed. This merits further verification and investigation.

We have to remember that the average charges of the Philippine agencies is PHP74,433. So even if an agency's z-score is 0, it still charges the average PHP74,433. Same with if the z-core is negative or below mean, it still entails paying huge amounts and thus violates the Philippine

A	B	C	D	E	F*
Usage rank**	PH: Name of agency	Z-score: HK: Total agency charges	Z-score: Phil: Total agency charges	Z-score: Additional costs (on top of agency charges)	Z-score: Total recruitment costs
90	Philippine Integrated		4.8971837		4.1557923
90	Infinity	4.6604872		-.9721111	2.7722580
90	Light & Hope Agency	2.0175918	.2920503		2.6663138
66	Hopewell Agency	.8938239	.8066640		2.2336812
90	Prima	.3170101	1.2025208		2.1273196
90	World View		2.5220433		2.0693633
90	International Agency		1.9942343		1.6057124
50	Luzvimin Agency	.1160323	1.5104094		1.5336533
90	Indo-Pinoy	-.8424774	.4108073	4.9323441	1.4463324
90	Ocean Fine Emp.		.6747118		1.4202520
90	Morty Agency	-.1738396	.6747118	-.3501196	1.3815662
50	Eugene International Services	2.0102300	.5480376		1.2997028
34	PNR Manpower Agency	1.0900018	.5163691	1.7610059	1.2335456
66	Jao Agency	1.0127026	-.5128585		1.1681418
90	Marvel Agency		1.4664253		1.1420615
50	Pilipinas McLain Employment Agency		1.4664253		1.1420615
90	Manpower Forever	-.7653329	1.0177876		1.1129616
90	September Star Agency		1.3608635		1.0493313
44	P&R Manpower Agency Inc.	1.0900018	.8185397		1.0293364
90	JPI (Ermita, Manila)	-.3013832	.4108073	-.4989214	1.0261488

*The table is sorted on column F (total cost), from the highest to the lowest z-score.

**The usage rank: 1 = most frequently used agency by the respondents; lowest rank for Philippine agencies is 190.

regulation on zero-placement fee or even the previous (2002) limit of 1-month wage as placement fee.

In column A (usage rank) shows one of the 43 most used agencies in the Philippines –PNR Manpower (rank No. 34; z-score = 1.23 sd on total recruitment costs) – as among the agencies charging the highest placement fees. The 44th most used agency, P&R Manpower, is also included in this list. The top-ranked agency, Ascend, has a z-score = 0.20; meaning, it charges a bit above the Philippine average, although not as bad as the agencies cited above. Still, Ascend charges 3.6 times MAW, a violation of all the fee regulations in Hong Kong (10% limit) and the Philippines (zero-placement fee or the previous one-month's wage limit policy).

E. Z-scores of Hong Kong and Philippine Agencies: Rights, Welfare and Benefits of DWs

The tables below illustrate the z-score standings of the agencies in Hong Kong (left) and the Philippines (right) in each problem category. For convenience, we are listing only 10 agencies with the highest z-scores (i.e. worst practices); although it can be expanded to the full 245 agencies in Hong Kong or 190 agencies in the Philippines.

1. Low Wage (below-MAW): 10 Worst Wage Offers

Usage Rank	Agency in Hong Kong	Z-score: (below-MAW agency offer)
99	EM Agency	3.2515445
99	Word Wide Emp.	1.7227253
42	CNC	1.6004198
99	Action Employment	1.3863851
42	T.C. Company International	1.1723504
99	Online Maids	1.1723504
26	Reliable Agency	.6627439
6	Aura Employment Agency	.5659187
99	Agency Royal	.4996699
99	B&A Agency	.4996699

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: (below-MAW agency offer)
66	GM Agency	3.2515445
90	International Agency	2.7011696
50	Staffline Agency	.9277393
90	Excellent	.6831282
6	James International Agency	.6474558
34	Greenfield Agency	.5608227
66	Jao Agency	.4996699
90	OLM	.4996699
90	Global Agency	.4996699
66	Gold & Green Agency	.4996699

Light Highlight: recurring names among the various categories

The data suggests that the agencies offering the lowest wage for DWs that is way below MAW (thus, the worst underpayment) are EM agency in Hong Kong, and GM agency in the Philippines. Both show extreme violation for having more than 3 sd ⁵⁹ above the mean or worse than 99.9% of all agencies.

Note that some of the most frequently used agencies – Aura in Hong Kong, and James International and Greenfield in the Philippines – are also among the agencies reportedly offering extremely low or below-MAW wages. Hong Kong's Reliable (usage rank No. 26) is also in the list. Several agencies in both countries (highlighted in green) will also appear in other problem categories (discussed below).

2. Wrong or No Information Provided by Agencies

Usage Rank	Agency in Hong Kong	Z-score: Total # of instances: wrong or no info.
99	Word Wide Emp.	2.8501511
99	Ben Employment Agency/Top Services Agency	2.8501511
99	Unlimited	2.8501511
99	Trustee Emp.	2.8501511
99	Mega D (Causeway Bay)	2.8501511
99	Sonmass	2.8501511
42	D&H Employment Agency	2.6227335
60	Laguna Agency	2.5090248
99	Agency Royal	2.1678985
99	Deng Hu	2.1678985

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: Total # of instances: wrong or no info.
90	Infinity	2.8501511
90	Light & Hope Agency	2.8501511
90	Perfect Agency	2.8501511
90	Winsky	2.8501511
90	Good Speed	2.8501511
90	Far East International	2.8501511
90	TC Nediro	2.1678985
90	Philippine Integrated	2.1678985
90	Ernest Agency	2.1678985
90	Mayon Agency	2.1678985

Light Highlight: recurring names among the various categories

This is a category of violation that many agencies both in Hong Kong and the Philippines have committed. There are many agencies who have more than 2 sd above the mean.

The tables above show the Hong Kong and

⁵⁹ The measure of violation that we are using here is the difference between MAW and the amount offered by the agency (diff. = MAW – offer); therefore, the greater the positive value of the difference, the lower the agency's wage offer in relation to the MAW.

Philippine agencies that committed the most number of instances of providing no or wrong information to the DWs about their work, labor laws, wages and benefits in Hong Kong.

3. Mandated Benefits

Usage Rank	Agency in Hong Kong	Z-score: Total # of instances: benefits will be denied
99	Ben Employment Agency/Top Services Agency	3.6713441
99	Citi Maids	3.6713441
99	Tsun Wan	3.6713441
99	Action Employment	3.6713441
99	Yuk Fai	3.6713441
99	Eugine	3.6713441
99	Masters International	3.6713441
99	City Employment	2.3147814
99	Unique Recruitment Agency	2.3147814
99	Femax	2.3147814

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: Total # of instances: benefits will be denied
90	Baguio Investment	3.6713441
90	Ledman Employment	3.6713441
90	Technic	2.9930627
90	Cagarfod Agency	2.9930627
90	MIP	2.9930627
90	Suntec	2.9930627
90	Kanya Services	2.9930627
90	Ernest Agency	2.3147814
90	Singkong Int'l.	2.3147814
90	Global Medical Agency	2.3147814

Light Highlight: recurring names among the various categories

This is another category where agencies in Hong Kong and the Philippines have a lot of violations, which are worse than the previous category. In fact many agencies here have more than 2 sd and 3 sd above the mean. This means that many agencies misled DWs into believing that they can be denied certain basic labor rights and benefits guaranteed by Hong Kong laws (rest days, holidays, etc.)

4. Personal Documents

Usage Rank	Agency in Hong Kong	Z-score: Total # of instances: surrender documents
99	Jet Pacific	6.9982065
99	Ocean Fine	4.5448595
99	Family Care	4.5448595
99	Precious Agency	4.5448595
42	CNC	4.5448595
99	Mission Employment Agency	4.5448595
99	C&C Emp.	4.5448595
99	IPT Employment agency	4.5448595
60	Good Link Consultant	3.3181860
99	Tsun Wan	2.0915126

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: Total # of instances: surrender documents
90	Pioneer Manpower	6.9982065
90	September Star Agency	4.5448595
90	OFW Employment Agency	4.5448595
90	S Line	4.5448595
50	Staffline Agency	2.9092949
90	International Agency	2.0915126
90	Mariposa	2.0915126
66	Dolma Employment	2.0915126
90	Infinity	2.0915126
90	Light & Hope Agency	2.0915126

Light Highlight: recurring names among the various categories

This is probably the category where agencies in Hong Kong and the Philippines show their worst "non-financial" malpractices. Some agencies are in the most extreme range (more than 6 sd above the mean) while many have over 2 sd above the mean. This means that many agencies pressure the DWs into surrendering their personal documents, especially passports. As explained above, this has very strong statistical correlation with the overcharging of fees by the agencies.

5. No. of Months the Agencies Keep the DWs' personal documents

Usage Rank	Agency in Hong Kong	Z-score: Total # of months documents kept by agency
99	Grand Asia Placement	4.9184620
60	Access Emp.	4.4392496
60	TNH Agency	.6055502
26	Reliable Agency	.4857471
99	Mission Employment Agency	.3659440
99	IPT Employment agency	.3659440
99	Mega D (Causeway Bay)	.3659440
99	Chen-chen	.3659440
18	Hi-Cedar Agency	.3659440
99	Ocean Fine	.1263378

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: Total # of months documents kept by agency
34	PNR Manpower Agency	4.9184620
66	EMR	4.4392496
90	International Agency	1.0847626
90	Mariposa	.6055502
66	Placwell Int'l. Agency	.6055502
15	Jedegal Manpower Services	.3659440
6	Find Staff Placement	.3659440
10	Gammon International	.3659440
66	Dolma Employment	.1263378
90	TC Nediro	.1263378

Light Highlight: recurring names among the various categories

Agencies want to keep the personal documents of the DWs by an average of 3.5 months, which is followed by most of the agencies who commit this offense. However, a handful of agencies have the extreme practice of keeping the documents much longer (up to 2 years), and have therefore more than 4 sd above the mean.

6. Other Problems and Restrictions

Usage Rank	Agency in Hong Kong	Z-score: Total # of instances: other problems
99	Citi Maids	5.1705811
99	Employment Paradise	5.1705811
99	Cobo Employment Agency	3.7488628
99	Irise Consultant	3.7488628
99	Cariag Agency	3.7488628
99	Grand Asia Placement	2.3271445
60	Access Emp.	2.3271445
99	Mega D (Causeway Bay)	2.3271445
99	Northern Left Care	2.3271445
99	David Chung	2.3271445

Dark Shade: most used agencies in HK and PH

Usage Rank	Agency in Philippines	Z-score: Total # of instances: other problems
66	Hopewell Agency	3.0380037
90	TC Nediro	2.3271445
90	Good Speed	2.3271445
90	Winsky	2.3271445
90	Far East International	2.3271445
90	RYT Agency	2.3271445
90	Golden Lights	2.3271445
90	Morty Agency	2.3271445
29	Angelica Agency	2.0901915
50	Baguio Benguet International Agency	1.8532384

Light Highlight: recurring names among the various categories

Next to keeping DW's personal documents, this 6th category is one of the worst practices done by agencies in Hong Kong and the Philippines. Many agencies have more than 2 sd above the mean; some have over 5 sd above the mean. As explained above, this correlates strongly with the abusive and illegal practices of agencies in charging extortionate fees. Therefore, there are many agencies who warn domestic workers against complaining, joining organizations or public protests in Hong Kong.

F. Summary Results and Observations (Individual Agency Record)

1. We have shown above the scorecard of each agency in Hong Kong and the Philippines showing the actual records as reported by the respondents in terms of recruitment costs, wage offers, and other bad practices and violations. These scorecards can be used for follow-up investigation and see if the agencies can be held liable.
2. We have standardized the scores (z-scores) of the agencies in all the categories of problems

or malpractices or violations so that the record of each agency can be compared with the record of everyone in the group. The z-scores also show which agencies are "extreme violators" or worse than the 98% or 99% of the group.

3. Violations of the policies or laws protecting the DWs undermine and negate the mandate of the POEA to enhance the welfare and protection of the OFWs. Erring agencies should be punished as their "bad practices" make the DWs more vulnerable to exploitation and other abuses – they may even become part of the growing list of victims that POEA has to help and repatriate back home.
4. As mentioned earlier, agencies should have a program equivalent to PDOS as well as the regular HR/MHR orientation to update them of the current international standards and best practices policies in their sector, which they will also convey to their clients, the DWs. Agencies following these "good/best practices" should be recognized by the government, including the POEA, and will be a big boost to the program against unscrupulous recruiters and employers.
5. The scorecards will help the authorities and the DW organizations and unions to identify and take action against agencies that exploit and abuse DWs, while recognizing those adhering to the "best or fair practices." The scorecards will also enable us to check the record of each agency for follow-up verification or investigation. Thus, the scorecards can be the basis for producing a list of "desirable" agencies as well as a watch list or a blacklist of "undesirable" agencies.



VIII. OVERALL INDEX OF RECRUITMENT AGENCY PRACTICES, ABUSES AND VIOLATIONS

A. Recruitment Practices Index (RPI or RP Index): Scoring and Ranking the Overall Practices or Violations of All Agencies in Hong Kong and the Philippines

Based on this survey, we have created the "Recruitment Practices Index," which is a list of all identified agencies in Hong Kong and the Philippines and ranked according to their abusive practices and violations of recruitment regulations as well as the rights and welfare of Filipino migrant DWs. This Index can serve as a watch list or "grey list" of agencies that needs to be further checked or investigated to see if they can be held liable for their reported bad practices or violations. (Confirmed or chronic violators may then be included in a formal blacklist.)

The RPI was created by taking the average of the z-scores of each agency across all categories of bad practices/violations. Then the average of all violations/practices was averaged again for each agency, taking into account all the cases involving a specific agency. This will generate one overall score and ranking for each agency in Hong Kong and the Philippines. Then the overall scores in Hong Kong will be ranked; while another set of ranking will be made for all the Philippine agencies. In the Index, the higher the rank of an agency means it perpetrated more bad practices or violations as reported by the respondents.

Appendix G shows the entire RPI for all individual agencies in Hong Kong and the Philippines.

B. Worst Performing Agencies (Top 50 in the RPI)

The top 50 "worst practicing" agencies in Hong Kong's RPI are:

Hong Kong: RP Index 1 to 50

Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	Citi Maids	2.1494	1
99	Grand Asia Placement	2.0083	2
60	Access Emp.	1.5020	3
99	Ben Employment Agency/Top Services Agency	1.1662	4
99	David Chung	1.1518	5
99	C&C Emp.	1.1451	6
99	Family Care	1.0536	7
42	D&H Employment Agency	1.0338	8
99	Mega D (Causeway Bay)	1.0220	9
99	Kung Wa Agency	1.0054	10
99	Action Employment	.9933	11
99	Jet Pacific	.9806	12
99	Agency Royal	.9569	13
99	Sunshine	.9435	14
42	CNC	.9412	15
99	Employment Paradise	.9292	16
60	Sun Yuet	.9178	17
99	Northern Left Care	.9007	18
42	Altima Agency	.8687	19
99	Perfect Maid	.8492	20
99	Wintip Employment Services	.8401	21
99	Tsun Wan	.8384	22
60	TNH Agency	.8345	23
60	Your Maid	.8241	24
99	Precious Agency	.8151	25
42	Gold Roy Agency	.8133	26
26	Wellmark Employment Services Consultants	.8111	27
99	Kowloon City Employment Agency	.7898	28

Hong Kong: RP Index 1 to 50

Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	ABNC Emp.	.7816	29
99	Cobo Employment Agency	.7775	30
99	Trustee Emp.	.7241	31
99	Winna Emp. Agency	.7059	32
99	Unique Recruitment Agency	.7007	33
99	Fancy	.6593	34
99	Glory International	.6589	35
99	Word Wide Emp.	.6437	36
99	Masters International	.6437	37
99	Unlimited	.6359	38
99	Irise Consultant	.6186	39
99	Mission Employment Agency	.6091	40
42	Pacific Agency	.5934	41
60	P&R Agency	.5756	42
99	Good Maid	.5646	43
60	Apec Agency	.5605	44
99	Deng Hu	.5553	45
60	Good Link Consultant	.5450	46
26	Great Top Employment	.5301	47
99	Carieg Agency	.5208	48
99	Cross Country (Singapore)	.5179	49
99	Eugine	.5078	50

The top 50 “worst practicing” agencies in the Philippines’ RPI are:

Philippines: RP Index 1 to 50

Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Philippine Integrated	2.0663	1
90	Good Speed	1.3707	2
90	International Agency	1.3480	3
90	Infinity	1.2081	4
90	Light & Hope Agency	1.1642	5
66	Hopewell Agency	1.1481	6
90	September Star Agency	1.0755	7
90	Technic	.9618	8
90	Ernest Agency	.9529	9
90	OFW Employment Agency	.9245	10
90	Indo-Pinoy	.9193	11

Philippines: RP Index 1 to 50

Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Cagarfod Agency	.9144	12
90	S Line	.8705	13
90	Golden Lights	.8609	14
90	Winsky	.8606	15
90	Perfect Agency	.8514	16
90	Global Medical Agency	.7547	17
50	Staffline Agency	.7371	18
90	Pioneer Manpower	.7255	19
34	PNR Manpower Agency	.6970	20
90	TC Nediro	.6415	21
90	Ohilac Agency	.6326	22
66	EMR	.6024	23
66	Andrene	.5561	24
50	Baguio Benguet International Agency	.5496	25
18	Green World Placement	.5415	26
50	SBEE International	.5327	27
90	Far East International	.5309	28
50	Anifel Management Emp. Agency	.5284	29
90	Mariposa	.4952	30
90	Marvel Agency	.4905	31
90	Prima	.4857	32
90	Starborne International	.4693	33
50	Pilipinas McLain Employment Agency	.4679	34
90	World view	.4590	35
90	OLM	.4558	36
90	Mayon Agency	.4485	37
90	RYT Agency	.4447	38
50	Eugene International Services	.4423	39
6	Altima Manpower Agency	.4392	40
90	Manpower Forever	.4315	41
50	Luzvimin Agency	.4261	42
90	Hossana	.4183	43
66	Jao Agency	.4074	44
90	Baguio Investment	.4054	45
3	Skytop Services Contractors Inc.	.3744	46
3	God's Will Placement Agency	.3706	47
66	Placewell Int'l. Agency	.3544	48
44	P&R Manpower Agency	.3520	49
90	Morty Agency	.3327	50

The scorecard and the RPI demonstrate that these agencies committed “worst-practices” like overcharging of fees and other acts that deny or violate the DWs’ mandated rights or increase their risk to abuses and exploitation.

To validate these findings, a follow up investigation is needed – not only of the top 50 in the RPI but all agencies with z-scores that indicate highly abusive practices in any category or problem area. If there is substantial proof, the authorities must relentlessly pursue the key people behind these agencies and appropriate penalty must be meted out (fine, suspension or closure of the agency, imprisonment of guilty officials).

C. How the Most Frequently Used Agencies Ranked in the RPI

Let us locate where the most used agencies in Hong Kong and the Philippines stand in the overall index.

Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
1	Emry's Emp. Agency	-.2981	199
2	Technic Agency	-.1997	185
3	Overseas Employment Agency	.0591	118
4	Top Maid Employment Agency	.0304	129
5	Suntec Agency	-.3348	206
6	Sincere Agency	.3169	73
6	Aura Employment Agency	-.0146	136
8	Premiere Nannies Employment Agency	.1871	90
8	Further Creation Employment Agency	-.1007	160
10	PBI Employment Agency	.1989	86
11	A&E Employment Agency	.2664	76
11	Sunlight Emp. Agency	.1844	91
11	JC Casa Employment Agency	.1793	93
11	KNB Employment	.0555	119
11	Passen Agency	.0438	125
11	Wellcome Employment Centre Ltd	-.0041	134

Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
11	Tailor Maid Consultants Company Ltd.	-.2416	192
18	Bestwell Agency	.3723	65
18	Top Services	.2186	84
18	Hi-Cedar Agency	.1656	96
18	Rejoice Emp. Agency	-.1098	163
18	T&H Agency	-.2124	187
23	Helpful Agency	.1341	104
23	Lotus Agency	.0642	116
23	Hosana Agency	-.1340	170

*Dark Highlights (HK): Index ranks from 1 to 132; these are above the group mean (+ z-score), i.e. worst practices/ violations than the group average.

Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
1	Ascend Agency	-.0070	107
2	All-Pro Staffing	-.3157	159
3	Skytop Services Contractors Inc.	.3744	46
3	God's Will Placement Agency	.3706	47
5	STD Manpower Services	-.0541	119
6	Altima Manpower Agency	.4392	40
6	Find Staff Placement	-.0855	124
6	James International Agency	-.0887	125
9	ABC Manpower Services	.2904	54
10	Gammon International	.2485	63
10	King's Manpower Agency	.0801	89
10	Mariz Employment Agency	.0726	90
10	Visayan Consolidated Agency	.0516	95
10	Angelex Allied Agency	-.2926	158
15	Concord Int'l. Services	.2465	65
15	Aims Agency	.0901	87
15	Jedegal Manpower Services	.0703	91
18	Green World Placement	.5415	26
18	Philac Agency	.2467	64

Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
18	Speed Employment Agency	.1767	74
18	France Asia Agency	.1254	83
18	Novation Resource Agency	.0964	86
18	MY International Agency	-.0199	110
18	Wellcome Employment	-.0252	112
18	Alcare Manpower Agency	-.1786	135
26	Top Maids Agency	.1723	76
26	Jensen Manpower Int'l.	-.1817	137
26	Emry's Agency	-.3564	163
29	Angelica Agency	.2563	61
29	Adana Employment Agency	.1215	84
29	Active Works Emp. Agency	.0639	93
29	Dalzen Employment Agency	.0183	102
29	Chance Team	-.5046	173
34	PNR Manpower Agency	.6970	20
34	Hongkong Fil Int'l. Services	.2857	55
34	Humania International	.2095	70
34	Greenfield Agency	.1711	77
34	Bright Star Agency	.0357	97
34	Emerald Manpower Recruitment Agency	.0293	98
34	Nuariz Agency	-.0217	111
34	Desert Wealth	-.0377	114
34	SK Manpower Services	-.1503	131
34	John Maurice International	-.2459	151

*Dark highlights (PH): Index ranks from 1 to 106; these are above the group mean (+ z-score), i.e. worst practices/ violations than the group average.

Perhaps not surprisingly, all of the most used agencies gravitate around the group average in terms of recruitment practices. Apparently these agencies, which play a dominant role in the recruitment industry in Hong Kong and the Philippines, try to limit or avoid extremely bad or abusive practices. Still, they commit significant violations in terms of overcharging of fees and other practices that undermine the rights and

welfare of the DWs.

Among the most used Hong Kong agencies, Bestwell (RPI rank 65), Sincere (RPI rank 73) and A&E Employment (RPI rank 76) are the “worst practicing agencies” for being above the group average; although they are only less than 1 sd above the mean.

In the Philippines, the “worst practicing agencies” are PNR Manpower (RPI 20), Green World Placement (RPI 26), Altima (RPI 40), Skytop Services (RPI 46), God's Will Placement (RPI 47), ABC Manpower (RPI 54), Hongkong Fil Int'l. Services (RPI 55), and Angelica Agency (RPI 61). Again, they have less than 1 sd above the mean.

D. Pattern of Transborder Use by Domestic Workers of Recruitment Agencies

POEA has a list of licensed agencies in the Philippines and their principals or partners in Hong Kong. However, this information is not included in the online database of licensed agencies. The PCG-HK has a list of recruitment agencies that it accredits as legitimate or can process the papers of Filipino DWs in Hong Kong; and also includes the principals of the Hong Kong agencies in the Philippines.

Notwithstanding the POEA and PCG-HK list of principals, the survey asked the respondents which agencies they used in the Philippines and/or Hong Kong.

Appendix H-1 shows the Hong Kong agencies and the corresponding agencies used by the respondents in the Philippines, while **Appendix H-2** shows the Philippine agencies and their counterparts in Hong Kong. These agencies are not necessarily the principals nor have business connections; they are simply cited in the list of agencies that the respondents said they used in both countries. These appendices also show the overall index score and ranking of agencies, with details on how each agency abroad contributed to the final score and ranking. This can help in the follow-up study or verification how the principals or the corresponding

agencies worsen or alleviate the problems, and perhaps give indications of how the Philippine and Hong Kong agencies collaborate with each other.

E. Summary Results and Observations (Overall Index and Transborder Process)

- We have consolidated all the z-scores of each agency (mean values), and created an overall index and rankings of all agencies in Hong Kong and the Philippines. The RPI shows the overall ranking of each agency in terms of particular categories of problems or practices discussed in this research.
- There is an indication that the seldom used agencies are prone to doing the worst practices. Or are they being avoided by the DWs and job applicants because these agencies are so notorious? This observation is an interesting area for a follow-up study.
- Several agencies in Hong Kong have the same name with some Philippine agencies; although they are not in the POEA list of licensed agencies – like Emry's and Eugene (Index No. 50 in Hong Kong; Index No. 49 in the Philippines). Likewise, Technic is in the most used list of agencies in Hong Kong, but not in the Philippines.

IX. CONCLUSIONS AND RECOMMENDATIONS

The central questions that this research aims to answer are: *What are the recruitment experiences, issues and problems encountered by Filipino domestic workers in or going to Hong Kong, and what can be done to address them?*

A. Conclusions

The survey revealed the following major recruitment problems, practices and issues faced by Filipino DWs in Hong Kong, and the trends or patterns of these problems.

1. Recruitment Channels and Fund Sources

- a. The big majority or 88% of the respondents paid or used a recruitment agency to work in Hong Kong. In turn, most or 58% of them used agencies both in the Philippines and Hong Kong; 25% used Philippine agencies only; and the rest employed Hong Kong agencies only. This proves the importance of recruitment agencies in the job placement process, and therefore proper regulation is essential to ensure that they don't abuse such role.
- b. Among those who did not avail themselves of a recruitment agency, the majority or 58% directly dealt with the employers; the next group or 36% found employers through relatives, friends or on their own; and the rest went through the regular government or POEA channel. This shows that direct-hire channels are equally important, and that migrants will seek the best available options to work overseas. Therefore, it is important that alternative or direct-hire channels are available, efficient and properly regulated. Now that POEA's mandate is not to deregulate, but strengthen recruitment regulations, government-authorized direct hire channels should be more accessible. It will also help counter-balance the recruitment agencies because government-sanctioned direct hire channels will set the baseline in terms of fees and proper

procedures.

- c. More than 2/3 or 68% of the respondents had to take some kind of loan (from banks, financing agencies, relatives or friends, or as advances from recruitment agencies) to pay the recruitment costs. This illustrates the significance of providing DWs access to regulated loan channels and protecting them from loan sharks, exploitative lending agencies or opportunistic recruitment agencies. Excessive recruitment costs and usurious loan system is a major reason for migrant DWs in Hong Kong ending up in virtual debt bondage, extreme underpayment or oppressive working conditions.

2. Recruitment Fees and Costs

- a. Expensive recruitment cost is a key problem among the DWs. On average, Hong Kong agencies charge PHP42,647 (HK\$8,123 @ P5.25/HK\$), while the Philippine agencies demand PHP74,433 (HK\$14,178). Aside from these agency charges, DWs are shelling out additional payments averaging PHP6,853 (HK\$1,305). Therefore, the total recruitment cost for the DWs averages PHP80,736 (HK\$15,378).
- b. There are established laws and policies in Hong Kong and the Philippines that limit the amount of recruitment fees.
 - The Hong Kong Employment Ordinance (Part XII) and Employment Agency Regulation, enacted since 1968, allow recruiters to collect a commission not exceeding 10% of the first month's wage of a DW or job-seeker once she gets a job. The fee could not also be collected in advance. But usually the average agency fee in Hong Kong is more than 20 times the 10% limit, and more than two months' MAW – which is blatantly illegal.

- The Philippine Overseas Employment Administration (POEA), the government body mandated to regulate recruitment agencies, including fees, has set a limit of one-month's wage since 2002. This was replaced in 2006 by the "no placement fee" policy. However, the average agency fee in the Philippines is nowhere near zero; it is actually 36 times the 10% limit in Hong Kong and 3.6 times of one month's MAW – thus, a flagrant violation of both Hong Kong and Philippine regulations (zero placement fee, 10% limit, one-month cap).

c. These violations are blatant, widespread, persistent and done with impunity.

- Around 90% of the respondents paid more than the 10% limit in Hong Kong, and almost half paid above the Hong Kong average fee (HK\$8,123). Among those who used Philippine agencies, the majority or 58% paid more than the Philippine average of HK\$14,178. Therefore, the violation is rampant in both places.
- The data also show that the excessive and illegal agency charges have persistently increased over the years, both in the Philippines and Hong Kong. The yearly increase was faster in the Philippines despite the 2002 and 2006 POEA regulations.
- It is significant to note that 10% of the respondents paid below the 10% limit in Hong Kong, which corresponds to 17 agencies there (7% of 245) that comply with the 10% law.

d. Breakdown of recruitment fees and costs: As expected, the biggest component of the total agency charges is the "agency fees" (67% of the total in Hong Kong, and 80% in the Philippines); the rest are for training/ TESDA fees (17% of total in Hong Kong, and 11% in the Philippines), insurance, airfare, food and lodging provided by agencies, and medical/dental costs.

- A further examination of the range of fees paid under each category reveals

incredible figures, especially payment for training, airfare, medical/dental exams, food and lodging – indicating that DWs are unaware of these amounts or they are arbitrarily asked by the agencies to lower the amount of "agency fee" and thus to circumvent its legal limits.

- There is a need to review and adopt a clearer, commonly accepted and standardized definition of "recruitment/ agency fees" to prevent the agencies from manipulating the recruitment costs and to enable the DWs and the authorities to easily detect if there is overcharging. The basic reference of such definition should be the total amount paid by the DWs to the agencies for the whole recruitment process. The total amount should explicitly identify the basic components (fees for airfare, visa application, medical exams, etc.) covered by the total amount. While the "agency fee," as the agency commission, can be factored in (e.g. 10% of a month's wage) or not at all ("zero agency fees"). This would allow the authorities to regulate or prescribe the total prescribed amount for a given period of time and place (e.g. Hong Kong).

3. Mandated Benefits, Entitlements, Rights and Protection Measures for DWs

- Aside from exorbitant recruitment costs, DWs also suffer from a variety of bad practices by agencies, which increase the risk of DWs to abuse and exploitation in Hong Kong.
- Minimum wage – More than 14% of respondents were told by Hong Kong and Philippine agencies to accept wages below the MAW, which is illegal under Hong Kong laws. Respondents identified 40 agencies in Hong Kong (or 16% of the total agencies there) and 37 agencies in the Philippines (or 19% of the total here) that tried to offer them wages below MAW.
- Information on Hong Kong laws, working conditions, redress channels, support groups

– More than 1/3 or 36% of the respondents were given wrong or outdated or no information at all regarding those vital information. This involved 128 agencies or 52% of the total agencies in Hong Kong, and 109 agencies or 57% of the total in the Philippines.

d. Mandated benefits for DWs – Almost 10% of the DWs were told by recruitment agencies that they will not get one or several of the mandated benefits for them, including days off, statutory holidays, insurance paid by employer, etc. This involved 92 agencies or 38% of the total in Hong Kong, and 80 agencies or 42% of the total in the Philippines.

e. Personal documents (passport, ID, bankbook/ATM) – Less than 5% of the DWs were asked by their agencies to surrender any of these documents. However, a higher 11% were asked to relinquish their passports, which is illegal both in Hong Kong and the Philippines. This involved 70 agencies in Hong Kong (28% of the total), and 71 agencies in the Philippines (37% of the total). For the DWs who were forced to give up their passports or other documents to their agencies, these were kept for an average of 3.5 months or as long as two years.

f. Other restrictions imposed by the agency – Almost 10% of the DWs were ordered by their agencies not to join any organization or protest actions in Hong Kong. A higher 22% were told not to complain or “create any trouble” by complaining. Involved in this malpractice are half of all the agencies in Hong Kong (122 agencies or 50% of the total) and majority of the Philippine agencies (105 agencies or 55% of the total).

4. Recruitment Regulation, Laws, Policies and Mechanism

a. There are long-established laws and mechanisms both in the Philippines and Hong Kong – on laws and policies protecting workers, regulating recruitment, including enforcement agencies like POEA in the Philippines and EAA in Hong Kong – that set

minimum standards on domestic workers' rights and benefits and safeguards from recruitment abuses and exploitation.

b. There are universally recognized global treaties or agreements that set international standards on recruitment and protection of domestic workers, primarily the UN's CMW and CEDAW, as well as the ILO Conventions 97, 143, 181 and 189. ILO C189 and Recommendation No. 201 (R201) are the recent and strongest standards on DW rights, which include protection against recruitment abuses. Hong Kong and the Philippines are signatories to many of these accords, and therefore obliged to implement them. For instance, the Philippines has ratified all of these major UN and ILO instruments; however, Hong Kong has yet to formally approve the migrant/DW-specific CMW, ILO C143, C181 and C189.

c. The blatant, rampant and continuing violations of recruitment laws in Hong Kong and the Philippines – excessive placement fees and other illegal anti-worker practices – reflect the weak or lackluster enforcement of the laws.

d. It also manifests the lack of coordination between the two governments on dealing with recruitment problems. There is currently no bilateral agreement between the Hong Kong and Philippine governments to address issues and concerns on recruitment. On the part of POEA, this can partly be due to the government's previous “deregulation” policy (1995 law), which aimed to totally remove recruitment regulation. But this was repealed in 2007 and POEA's regulatory functions were strengthened. Therefore, now is the best time for both governments to enhance monitoring and enforcement of recruitment laws, and for them to forge closer collaboration, including a bilateral agreement against illegal recruitment.

e. Despite laws and mechanisms in Hong Kong that provide protection for DWs and regulate recruitment agencies, but migrant DWs have also been excluded from several

of these key Hong Kong decrees, especially the Anti-Race Discrimination Ordinance and Statutory Minimum Wage Law. Other Hong Kong regulations, particularly the Immigration Ordinance and NCS policy, are also unfair and discriminatory against migrant DWs, which were confirmed even by the UN bodies. These exclusionary laws and policies increase the vulnerability of migrant DWs to labor and recruitment abuses, and therefore must be reformed to provide equal treatment to migrant DWs like the other foreign workers in Hong Kong.

- f. Licensing and accreditation of agencies in Hong Kong and the Philippines have well-placed procedures. Information on these agencies, however, has to be made more accessible to the public. For instance, the POEA online database of licensed and accredited agencies is a good resource but needs to be further enhanced. Likewise, recruitment-related information from both countries have to be more integrated and added with other critical information, including the principals or primary business partners of both Hong Kong and Philippine agencies, key Board members and other top company officials, etc.

5. Correlations

- a. Certain recruitment practices or problems are strongly correlated as measured by Pearson's r 's 95% or 99% confidence level. In the Philippines, the higher the agency charges, the higher the incidence of its violating the rights of the DWs, like asking them to surrender their passport or other documents, warning them not to complain or not to join groups in Hong Kong. In Hong Kong, the higher the agency charges, the higher the incidence of its providing no or wrong information to the DWs, or asking them to surrender personal documents, or warning them not to complain or join groups in Hong Kong.
- b. Therefore, it is equally important for Hong Kong and Philippine authorities as well as the DW organizations and trade unions to expose and go after the agencies that

violate the rights and welfare of the DWs, especially because these agencies are most likely violating also the regulations on agency fees.

- c. Although it is beyond the scope of this paper, but the data also reveal very strong statistical correlations between bad practices of the agency and the many forms of abuses suffered by the DWs, including underpayment, reduced rest days and holidays, excessive working hours, withholding of documents, physical abuses, etc. (See regression plots.) This is another compelling reason why recruitment abuses need to be addressed promptly and steadfastly to prevent further abuses.
- d. The statistical correlation of recruitment categories of problems are shown in the table in Chapter VI-F, and **Appendix E**.

6. Operations and Performance of Specific Agencies: Violations/Bad Practices

- a. Usage rank – The most used agencies in Hong Kong and the Philippines play a dominant role in the recruitment and placement of Filipino domestic workers in Hong Kong. If this reflects actual market conditions, this small group of agencies plays a significant role in recruitment practices, amount of fees and how the industry is operated. Therefore, regulatory bodies have to look closely into the operations of these agencies or how they run the recruitment industry.
 - Of the 245 agencies in Hong Kong, 25 are most frequently used by the respondents. These 25 agencies (10% of all Hong Kong agencies) handle almost half or 44% of the recruitment processing in Hong Kong. Many of these top agencies are also the same most used agencies by Indonesian DWs in Hong Kong (2007 AMC, et. al research).
 - Among the said top Hong Kong agencies are Emry's, Technic, Overseas Employment, Top Maid, Suntec, Aura, Sincere, Further Creation and Premiere

Nannies. These nine agencies collectively handled more than a quarter or 28% of the recruitment processing of all respondents.

- Many of the most used agencies in Hong Kong that process the recruitment of Filipino DWs are also the same most used agencies processing the recruitment of Indonesian DWs. Incidentally, Indonesians are among the most abused DWs in Hong Kong enduring excessive agency fees, underpayment and other labor rights violations.
- Of the 190 agencies in the Philippines, 43 are most frequently used by the respondents. These top 43 agencies or 23% of the total in the Philippines processed the recruitment of the majority or 58% of the respondents.
- Among the said top agencies in the Philippines are Ascend, All-Pro Staffing, God's Will, Skytop, STD Manpower, Altima, Find Staff, James International, ABC Manpower, Angelex, Gammon International, King's Manpower, Mariz, and Visayan Consolidated.

b. Performance of individual agencies – The survey generated a scorecard showing the performance record of each of the 245 Hong Kong agencies and the 190 Philippine agencies on each of the problem categories (recruitment fees, violations, practices). The scores have also been standardized using the z-scores in order to measure the performance of each agency, and compare its standing to the whole group based on each category.

- The worst performing agencies for each problem category are listed in tables in Chapter VII of the report.
- The names of the worst performing agencies, and the scorecards of all agencies for each problem category, will be submitted to the Philippine and Hong Kong authorities for appropriate actions – including the POEA, DOLE, Congressional Committee on Migrants in the Philippines,

the Philippine Consulate in Hong Kong; and Hong Kong's Labour Department and EAA.

- APL, PLU and other partners will also conduct follow-up actions to represent DWs with problems with any of these agencies, and in mobilizing against agencies with persistent violations.

c. Overall index/ranking – The survey has also created an overall "Recruitment Practices Index" (RPI or RP Index) that gives a consolidated standardized score or average z-score of all categories. Therefore, the overall index score gives a final rank of each agency in relation to all other agencies taking into account all the problem categories.

- The full RPI listing of scores and ranks of all agencies in Hong Kong and the Philippines is in **Appendix G**.
- The top ranked agencies or those with worst recruitment violations and practices in Hong Kong and the Philippines will be submitted to the Hong Kong and Philippine authorities. It will be further verified or validated. APL, PLU and other partners will work with the authorities in establishing if any of the said agencies can be held liable for any of violations.

d. The RPI and the individual scorecard of each agency on each problem category can serve as references for Hong Kong and Philippine authorities, as well as DW organizations and trade unions, in monitoring and acting on specific agencies for possible recruitment violations and other malpractices.

e. Pattern of transborder use by domestic workers of recruitment agencies – The survey has generated a list of agencies in the Philippines and their corresponding Hong Kong agencies (and vice versa) that DWs used. Several agencies mentioned were not in the list of licensed or accredited agencies in both countries. There is a need to further check the list of POEA and Philippine

Consulate of their accredited or licensed agencies, including their principals. And since we have already the z-scores and index ranking of these agencies, we can readily track and do follow-up verification of agencies with the worst violations and practices.

7. Partnerships and Collaboration

- a. DW organizations, trade unions and migrant advocates are among the first line of defense against recruitment violations and abuses. However, there are still no effective and sustained collaboration between the Philippine and Hong Kong governments regarding recruitment problems. Creating the needed mechanism, especially a bilateral agreement and even a really working task force, can help form an effective channel for monitoring, reporting, information sharing and coordinating efforts on recruitment problems.
- b. Individual DWs with complaints against recruiters are deterred from filing cases due to red tape or lengthy grievance process and the threat of reprisal, particularly of losing their jobs. The usually protracted and complicated redress mechanism must therefore be reviewed and improved. Likewise, the DW organizations and trade unions must be allowed to legally represent their DW members, particularly in filing cases against erring recruiters.
- c. The DW organizations, trade unions and migrant advocacy partners should improve their capacities to monitor recruitment violations and other related problems, as well as to engage unscrupulous agencies.

B. Key Recommendations

The following are concrete recommendations to substantively address recruitment problems. They are categorized into main action areas, and identify the entities (Hong Kong and Philippine governments, and trade unions/DW groups) that should primarily be involved in resolving recruitment issues and concerns.

1. Recruitment Channels and Fund Sources

- a. Create, enhance and strengthen “direct hire” channels for DWs or those not using or depending on recruitment agencies or any third party intermediaries. This will prevent recruitment agencies from monopolizing or creating cartels that manipulate the recruitment process. Direct hiring may involve offices authorized and certified as reliable by the POEA to process DW visas and other employment papers, which are being handled by the DWs themselves or their authorized representatives. This type of channel has long been used and recommended by other skilled or “professional” migrants, and therefore should also be made available to the migrant DWs.
- b. Resembling state-sanctioned remittance channels, where, for instance, the Development Bank of the Philippines (DBP) and Land Bank of the Philippines (LBP) provide remittance assistance to OFWs – Direct hiring or government-sponsored channel is important to set baseline standards that protect and promote the DWs’ rights and welfare, including a fair and transparent recruitment process.

But direct hiring should not be defined as recruitment that is solely processed between individual jobseekers and their prospective individual employers (not agencies). Because it is not possible to do legal recruitment absolutely without government intermediation as legitimate recruitment processing still has to engage the Philippine or Hong Kong authorities. Documents, for example, have to be verified by the government, travel and work requirements must be approved, taxes may have to be paid, etc. Of course, governments have to ensure also that job recruitment and processing, even through supposed “direct hiring,” are actually not a cover for human trafficking.

Therefore, direct hiring should be defined as recruitment not going through private recruitment agencies, but directly through

government-sponsored channels. Example: Aside from the would-be DW him/herself, he/she may authorize others to represent him/herself in transacting either with Hong Kong or Philippine government agencies in applying for a DW job in Hong Kong. No private recruitment agency is involved in this kind of process. Other professions do this, like artists, engineers, NGO staff, etc. who go to work abroad.

- c. There will still be private recruitment agencies, but they should strictly adhere to the recruitment laws and policies instituted by the government, which protect the rights and welfare of the DWs. Cartel- or monopoly-like grouping of agencies should not be allowed. These private agencies should complement with the government-regulated channel.
- d. Develop mechanisms that would provide low cost loans to pay for agency fees and other legitimate charges. Some form of savings and loans patterned after Pag-Ibig and provident funds (PFs), which would assist DWs in their various processing expenses, may be studied for their feasibility.

2. Recruitment Fees, Charges and Costs

- a. Limits on fees/charges must be continued, strengthened and strictly enforced both in Hong Kong and the Philippines (Hong Kong's 10% limit and the Philippines' zero-placement fee). Likewise, add or develop other mechanisms to stop the blatant and widespread violations of these laws.
- b. Rigorous implementation of the laws includes resoluteness on punishing violators and continuing public education on related laws and policies. While some unscrupulous agencies are meted out with fines, cancellation of licenses and even blacklisting, some continue with impunity or are not deterred by the penalties. All-out and joint campaigns of governments and civil society organizations (POs and NGOs) against violators may force the latter to finally toe the line.

- c. Review concept of placement or agency fees to prevent unscrupulous agencies from circumventing prescribed limits on the amount to be paid. For instance, these fees should be defined as the total amount collected by the agency from DWs as proven by receipt or other supporting documents. These fees may also be described as "MAC" or maximum allowable charges that an agency may collect from each DW-applicant; for example, 10% of the latter's monthly wage to allow a reasonable margin of profit for legitimate recruiters. The rationale for having a MAC is to motivate agencies to earn justifiable amount of profits but by efficiently and transparently providing the mandated components of MAC – job processing, visa application, medical and dental exams, etc. – within the amount set by either or both governments of the deploying- and receiving-countries.

This MAC should ideally be sanctioned by both countries and both should have bilateral agreement on how to classify and prosecute violations. The POEA could then more efficiently regulate recruitment fees by strictly identifying only their mandated components – processing of employment papers, visa, passport, airfare, medical exams, etc. MAC, in turn, will be based from the said components that were provided by an agency to a DW-applicant. Hence, agencies would find it harder to add, shift or hide other charges not included in the legally mandated chargeable components. Cheating or padding or profiteering will now be more difficult to do for dishonest recruiters or agencies.

3. Mandated Benefits, Entitlements, Rights and Protection Measures for DWs

- a. Strict enforcement of MAW, mandated benefits (days off, holidays, etc.) and the prohibition of yielding personal documents (passports, etc.) of the DWs in Hong Kong. A strong bilateral agreement between the Philippines and Hong Kong is needed to ensure the full implementation of these laws and policies for Filipino DWs in Hong Kong.

- b. Likewise, DWs must be provided with accurate and updated information regarding Hong Kong laws, working conditions, grievance machineries, and support groups there.

4. Recruitment Regulations, Laws, Policies and Mechanisms

- a. The Hong Kong government should adopt ILO Convention 189 (Decent Work for Domestic Workers) to make its laws and policies consistent with international standards. The Philippine government has already ratified this convention in 2012 and vowed to implement it, including its provision on “no recruitment fees.” Mutual adoption of ILO C189 will enhance legal channels and commitments between the two governments to effectively address recruitment problems and the overall protection of domestic workers.
- b. Review and reform of contradictory Hong Kong laws that undermine DW rights (exclusion of DWs from certain Hong Kong labor laws, the exclusionary immigration policy in NCS, etc.), as well as the need to formally adopt or ratify other UN and ILO standards protecting DWs and migrant workers.
- c. Firm and consistent enforcement of recruitment laws in the Philippines and Hong Kong that protect DWs.
- d. Agency staff should undergo regular (at least annual) seminar on pertinent matters in a particular DW-receiving country (like Hong Kong labor laws and policies, support groups for workers, etc.), which could be very beneficial to their clients – the DWs. Agency staff would then be aware and updated about these information, which they should share to would-be DWs. During these seminars, guide books and other references published both by the government of the country of destination (e.g. Hong Kong) and POs/NGOs there may be distributed to provide a more objective view of the working conditions there.

As certification of skills training is a requirement for DWs, agency staff should also undergo a counterpart certification of staff competence. The staff should show this certification when transacting with their clients, the DW-applicants. (In fact, other specialized jobs, like airport personnel, real estate agents, pharmaceutical company staff, etc., also take certain competency trainings.) This will also help stamp out fly-by-night individuals who pose as recruiters or are employed by fraudulent agencies.

- e. Strengthen the recruitment regulation functions of the government agencies in Hong Kong (Employment Agencies Administration) and the Philippines (Philippine Overseas Employment Administration).

This should include their enhanced capacities to crack down and punish agencies for recruitment violations, especially in collecting excessive fees and other illegal recruitment practices.

- f. Maintain and make more accessible the Hong Kong and Philippine government list of licensed and accredited agencies and those meted out with any penalties (fines, suspension, etc.), including the blacklisted ones. These information should be readily available to the public like in the POEA and EAA websites, etc. Include information on the principals of agencies both in Hong Kong and the Philippines, and maintain an updated database on the current status of these agencies, which can serve as an alert/watch list or a blacklist.
- g. Conversely, for agencies that uphold good practices and comply with the laws would be given due recognition, which would equally be good for their business. It would also be better if these “good” agencies – in consultation with the governments and civil society groups (DW organizations and trade unions, etc.) – could come up with a sort of “code of practice,” which should serve as standard in accrediting and certifying agencies for their “best practices” in recruitment and in abiding by the labor laws

in Hong Kong and the Philippines. (A similar “no fake” accreditation scheme is being observed in the tourism sector.)

- h. Come up with a solution to the problem of the DWs on how to improve complaints’ mechanisms in Hong Kong. For instance, should we use a sort of “recruiters’ bond” when filing a complaint because of the controversial “two-week rule?”
- i. Hong Kong and Philippine governments should have bilateral agreement on transnational handling of recruitment, including regulation framework and addressing violations and corresponding punishment, as well as on DW protection and HR framework. This agreement should be crafted together with DW and migrants’ groups. Similar agreement between Hong Kong and Philippine recruitment agencies should be required, which could be a sort of a commercial agreement cum “code of conduct,” provided it is legal and recognized by both Philippine and Hong Kong governments. Under this agency accord, their authorized partners or agents in the two countries are identified, “best practices” are pinpointed and encouraged, etc. These state and private agreements, in turn, must be published or posted on their websites.

5. Operations and Performance of Specific Agencies: Violations, Bad Practices

- a. The POEA list of licensed recruiters should include their authorized sister agencies or branches or partners in Hong Kong.
- b. Similar practice or info sharing should be made available by the Hong Kong government, which can be included in its bilateral agreement with the Philippine government.
- c. Stern penalties should be meted out to the worst-practicing agencies revealed in this research after verifying the charges against them.
- d. Require frontline recruitment agency staff

in the Philippines to undergo mandatory annual competency seminars/trainings on labor laws, workers’ rights, working conditions, redress channels, support groups and related knowledge, which should be specific to the jobs and destination countries covered by their recruitment activities. For agencies in Hong Kong, accreditation by the Philippine Consulate should also require such competency certification.

- e. Some agencies named in this research have extreme z-scores or are repeat offenders or chronic worst-offending agencies, and therefore should be totally banned.
- f. The Philippine and Hong Kong authorities should, however, still verify if the charges against other erring agencies are true before making corresponding actions.
- g. The Recruitment Practicing Index (RPI) started in this research can still be improved in the future. It can serve as a reference for the worst- and good-practicing agencies, as well as a record of each agency in relation to all the categories of problems/violations, and compared to other agencies.
- h. The Philippine and Hong Kong governments should maintain an updated watch list and blacklist of agencies.
- i. DW organizations and trade unions should also develop and update their own watch list and blacklist of recruitment agencies and recruiters. They should likewise be allowed to represent their members in filing cases against erring agencies.
- j. Top officials of agencies must be listed in the Hong Kong and Philippine governments’ list of licensed and accredited agencies as well as in the watch list and blacklist. Without their names and their other pertinent personal information, individual swindlers in unscrupulous agencies could continue their scam by just creating another agency with another name.

6. Partnerships and Collaboration

- a. Enhance cooperation between and among DW organizations and trade unions in Hong Kong and the Philippines. This includes information sharing, joint monitoring, collective policy advocacies, education and research, solidarity actions, etc. A Task Force may be established to address pressing issues and concerns in recruitment, DWs' rights, abuses, etc.
- b. Governments and employers must recognize DW groups and trade unions not only as "dialogue partners" but even as legal representatives of DWs when the latter have cases or complaints to be filed against abusive agencies and employers.
- c. POEA should convene a standing Task Force on recruitment composed of representatives from the government, DW groups, migrant advocates, association of agencies to further develop a comprehensive program on recruitment, including how to improve the recruitment process, etc.
- d. Acknowledging and accrediting agencies that uphold "good practices" in recruitment and in ensuring the welfare of their DW-clients. Would-be applicants will therefore gravitate to these agencies than the other non-accredited agencies, especially those in the watch list and blacklist.
- e. Regular tripartite conferences or meetings of representatives from the government (POEA), domestic workers (DW organizations or trade unions), and recruiters (association of recruitment agencies), which will discuss and formulate policies and thrusts in the DW recruitment industry.

Additional study on this industry, especially the working conditions of the Filipino domestic workers in Hong Kong, will be continued in the phase 2 of this action research. APL/PLU, which spearheaded this action research, will pursue these conclusions and recommendations by further linking up or coordinating with their partner organizations (DW groups, trade unions,

NGOs) in the Philippines and Hong Kong. They will also necessarily coordinate with pertinent government bodies in the Philippines and Hong Kong (Philippines' POEA, DOLE, Congressional Committee on Migrants, Consulate; Hong Kong's EAA and Labour Department, etc.) to formally address the problems and other concerns of the Filipino DWs in Hong Kong.

These results will in turn be incorporated in campaign positions, plans and overall program of actions that is being undertaken by APL and its partners regarding migrant domestic workers.

APPENDICES

APPENDIX A

List of most frequently used agencies in Hong Kong (Used by 5 or More Respondents; Descending %)

NOTES:

*The survey data set contains the complete list of all the agencies named by the respondents; table below is an extract of the data set.

* "License Status" is based on licenses published in latest issue of HK Gazette (No. 22/2012). Crosschecked with the POEA online list of recruiters (<http://www.poea.gov.ph/cgi-bin/agSearch.asp>; searched on 4 April 2013); need to check with the Philippine Consulate-General (Hong Kong) "List of Accredited Agencies (as of January 2013)."

Name of Agency in Hong Kong	# of Users	% of Total	License Status
Emry's Employment Agency	58	9.0%	*not in POEA list; not licensed in the Philippines
Technic Agency	32	5.0%	*not in POEA list; not licensed in the Philippines; also not found: "Technique"
Overseas Employment Agency	20	3.1%	*Overseas Professional Achievers Intl (OPAS) Inc.; valid license, but this is "For Overseas Performing Artists"; *Overseas & Placement Services (OPLAS); Malate; status: forever banned (last license: 1987); *Overseas Agency Services Inc.; Malate; status: delisted (last license: 4/19/1990 to 4/15/1994) *Overseas Placement Network; Ermita; status: delisted (last license: 10/16/1991 to 10/16/1993) *Overseas Recruitment Base International, Inc.; Makati; status: delisted (last license: 7/19/1998 to 7/17/2000)
Top Maid Employment Agency	17	2.7%	*not in POEA list; not licensed in the Philippines; also not found: 'Topmaid'
Suntec Agency	12	1.9%	*Suntech International Inc (For Suntech Manpower Recruitment Agency Inc.); Malate; status: delisted (last license: 11/9/1997 to 11/8/1999) *not found: "Santec"
Aura Employment Agency	10	1.6%	*not in POEA list; not licensed in the Philippines
Sincere Agency	10	1.6%	Sincere Overseas Placement Inc.; Malate; status: delisted (last license: 4/21/2000 to 4/20/2002)
Further Creation Employment Agency	9	1.4%	*not in POEA list; not licensed in the Philippines *also not found: "Farther"
Premiere Nannies Employment Agency	9	1.4%	*not found; *also listed: Premier Labor Search International Inc.; P. Gil; status: delisted (last license: 9/18/2006 to 9/18/2007)
PBI Employment Agency	8	1.2%	
A&E Employment Agency	7	1.1%	
JC Casa Employment Agency	7	1.1%	
KNB Employment	7	1.1%	
Passen Agency	7	1.1%	
Sunlight Employment Agency	7	1.1%	
Tailor Maid Consultants Company Ltd.	7	1.1%	
Wellcome Employment Centre Ltd	7	1.1%	
Bestwell Agency	6	0.9%	
Hi-Cedar Agency	6	0.9%	
Rejoice Employment Agency	6	0.9%	
T&H Agency	6	0.9%	

Name of Agency in Hong Kong	# of Users	% of Total	License Status
Top Services	6	0.9%	
Helpful Agency	5	0.8%	
Hosana Agency	5	0.8%	
Lotus Agency	5	0.8%	
Sub-total: # of users (respondents) who used the (named) agencies (5+ users)	279	43.5%	Agencies with 5 or more users; names known (25 agencies)
Add: # of users (respondents) who used all other (named) agencies (<5 users)	343	53.5%	Agencies with less than 5 users; names known (220 agencies)
Sub-total: # of users, all named agencies	622	97.0%	All agencies (names known); 1 or more users (245 agencies)
Add: # of users, unnamed agencies	19	3.0%	
Total: # of users, all agencies (named + unnamed)	641	100.0%	
Add: Missing/no answer	287		
TOTAL RESPONDENTS	928		

APPENDIX B

LIST OF MOST FREQUENTLY USED AGENCIES IN THE PHILIPPINES

(Used by 5 or More Respondents; Descending %)

NOTES:

*The survey data set contains the complete list of all the agencies named by the respondents; table below is an extract of the data set.

* "License Status" is based on the POEA online list of recruitment agencies (POEA website online search: <http://www.poea.gov.ph/cgi-bin/agSearch.asp>; searched on 4 April 2013). Need to crosscheck with HK Gazette and the Philippine Consulate-General (Hong Kong) "List of Accredited Agencies (as of January 2013)."

Name of Agency in the Philippines	# of Users	% of Total	License Status
Ascend Agency	29	4.5%	Ascend International Services Inc.; valid license (1/23/2012 to 1/22/2016)
All-Pro Staffing	17	2.6%	All-Pro Staffing & Consulting Services; Quezon City; valid license (8/8/2010 to 8/7/2014)
God's Will Placement Agency	15	2.3%	Not found; there is "Goodwill Promotions & Overseas Employment Services Inc."; status: forever banned (1985)
Skytop Services Contractors Inc.	15	2.3%	Sky Top Service Contractors, Inc.; valid license (11/28/2010 to 11/27/2014)
STD Manpower Services	13	2.0%	STD Overseas Manpower Services Inc.; valid license (11/22/2011 to 11/21/2015)
Altima Manpower Agency	12	1.9%	Altima Manpower Agency Inc.; valid license (5/22/2012 to 5/21/2016)
Find Staff Placement	12	1.9%	Findstaff Placement Services Inc.; valid license (10/3/2012 to 10/2/2016)
James International Agency	12	1.9%	James International Placement Services; valid license (4/4/2012 to 4/3/2016)
ABC Manpower Services	11	1.7%	ABC Manpower Agency Inc.; valid license (9/8/2011 to 9/7/2015); *the following are also listed: - ABC Global Employment & Manpower Services Inc. (Formerly Smith Bell Manpower); valid license (3/15/2011 to 3/14/2015); - ABC Human Resources Development Inc. (For ABC Recruitment Agency); status: delisted (last license: 1994-1996); - ABC Manila International Incorporated; valid license (6/19/2012 to 6/18/2016)
Angelex Allied Agency	10	1.5%	Angelex Allied Agency; valid license (2/19/2012 to 2/18/2016)

Name of Agency in the Philippines	# of Users	% of Total	License Status
Gammon International	10	1.5%	Gammon International Manpower Agency Inc.; valid license (3/19/2011 to 3/18/2015)
King's Manpower Agency	10	1.5%	King's Manpower Services Inc.; valid license (3/26/2012 to 3/25/2016); *also listed: -Kingsway Int'l Placement Services Corp (CB Lotilla Manpower Corp); status: forever banned (last license: 1986-1989)
Mariz Employment Agency	10	1.5%	Mariz Manpower Services; valid license (10/27/2011 to 10/26/2015)
Visayan Consolidated Agency	10	1.5%	Visayan Consolidated Services Agency (Iloilo) – valid license (11/10/2010 to 11/9/2014)
Aims Agency	9	1.4%	Agility International Manpower Solution (AIMS) Inc. (Formerly Jerr Services); Malate; valid license (12/19/2010 to 12/18/2014); *also listed: - AIMS World Management Corp; Ermita; status: cancelled (last license: 12/18/2000 to 12/18/2002)
Concord International Services	9	1.4%	Concorde International Human Resource Corporation (For Concorde Int'l Services); Makati; valid license (4/20/2012 to 4/19/2016)
Jedegal Manpower Services	9	1.4%	Jedegal Int'l Manpower Services Inc; Quezon City; valid license (10/28/2011 to 10/27/2015)
Alcare Manpower Agency	8	1.2%	Alcare Manpower Services Corporation; Pasay City; valid license (8/26/2010 to 8/25/2014)
France Asia Agency	8	1.2%	
Green World Placement	8	1.2%	
MY International Agency	8	1.2%	
Novation Resource Agency	8	1.2%	
Philac Agency	8	1.2%	
Speed Employment Agency	8	1.2%	
Wellcome Employment	8	1.2%	
Emry's Agency	7	1.1%	
Jensen Manpower International	7	1.1%	
Top Maids Agency	7	1.1%	
Active Works Employment Agency	6	0.9%	
Adana Employment Agency	6	0.9%	
Angelica Agency	6	0.9%	
Chance Team	6	0.9%	
Dalzen Employment Agency	6	0.9%	
Bright Star Agency	5	0.8%	
Desert Wealth	5	0.8%	
Emerald Manpower Recruitment Agency	5	0.8%	
Greenfield Agency	5	0.8%	
Hongkong Fil International Services	5	0.8%	
Humania International	5	0.8%	
John Maurice International	5	0.8%	
Nuariz Agency	5	0.8%	
PNR Manpower Agency	5	0.8%	
SK Manpower Services	5	0.8%	
Sub-total: # of users (respondents) who used the (named) agencies (5+ users)	378	58.3%	Agencies with 5 or more users; names known (43 agencies)

Name of Agency in the Philippines	# of Users	% of Total	License Status
Add: # of users (respondents) who used all other (named) agencies (<5 users)	221	34.1%	Agencies with less than 5 users; names known (147 agencies)
Sub-total: # of users, all named agencies	599	92.4%	All agencies (names known); 1 or more users (190 agencies)
Add: # of users, unnamed agencies	49	7.6%	
Total: # of users, all agencies (named + unnamed)	648	100.0%	
Add: Missing/no answer	280		
TOTAL RESPONDENTS	928		

APPENDIX C

AGENCY CHARGES (HONG KONG & PHILIPPINES), ADDITIONAL COSTS, TOTAL RECRUITMENT COSTS

(Average Values; By Year When DW Used the Agency)

(Mean values of all cases in each year)

Year when DW used agency	HK: Total agency charges (PHP)	PH: Total agency charges (PHP)	Additional costs (on top of agency charges) (PHP)	Total: All recruitment costs (PHP)
1984	15,000.00	-	-	15,000.00
1988	33,000.00	25,000.00	5,050.00	48,025.00
1989	19,000.00	-	-	19,000.00
1990	-	10,000.00	-	10,000.00
1991	40,250.00	14,000.00	-	44,916.67
1992	67,500.00	80,000.00	-	71,666.67
1993	23,458.33	83,750.00	4,333.33	59,767.86
1994	26,009.29	53,000.00	3,500.00	50,062.78
1995	36,750.00	56,250.00	-	52,350.00
1996	29,041.67	42,500.00	-	49,178.57
1997	32,903.50	34,333.33	10,600.00	34,647.05
1998	28,786.67	67,500.00	4,500.00	49,691.11
1999	24,706.79	55,000.00	5,750.00	57,160.83
2000	34,822.27	57,011.76	5,000.00	65,583.10
2001	47,609.20	65,500.00	5,333.33	64,704.60
2002	37,351.23	46,210.00	4,537.50	63,002.75
2003	49,221.43	71,000.00	7,333.33	66,045.83
2004	47,320.84	64,454.55	2,050.00	86,230.73
2005	39,836.82	86,500.00	4,709.50	84,479.31
2006	31,194.09	72,058.82	5,666.67	79,256.75
2007	38,956.97	78,178.57	3,043.17	86,689.46
2008	42,060.41	70,900.00	9,614.29	77,926.00
2009	36,017.21	75,774.05	9,462.50	77,968.23
2010	49,601.29	76,377.43	6,559.17	89,349.90
2011	48,795.72	78,081.25	5,746.00	87,512.01
2012	45,143.69	80,266.15	9,375.70	88,389.56
TOTAL (all years)	xxx	xxx	xxx	xxx

APPENDIX D-1

BREAKDOWN OF AGENCY CHARGES: AGENCIES IN HONG KONG

(Average Values; By Year When DW Used the Agency)

Year DW paid the agency	HK: breakdown -agency fee	HK: breakdown -training, TESDA	HK: breakdown -food, lodging	HK: breakdown -airfare	HK: breakdown -passport, visa
1984					
1988					
1989					
1990					
1991					
1992	80,000.00				
1993					1,000.00
1994					
1995					
1996					
1997	26,000.00				
1998					1,500.00
1999		5,000.00			
2000	3,580.00	100.00		5,000.00	
2001					
2002					
2003	35,000.00				
2004	7,933.33	5,500.00			1,000.00
2005	4,185.00	500.00	2,750.00	3,150.00	1,750.00
2006	3,500.00	5,000.00			1,000.00
2007			4,000.00		1,700.00
2008	24,875.00	8,400.00	775.00		
2009	35,182.55	8,400.00	1,000.00	380.00	505.00
2010	64,200.00	10,222.22	3,000.00	2,800.00	2,375.00
2011	14,181.25	6,284.62	2,000.00	950.00	1,166.67
2012	26,830.47	6,730.94	1,000.00	2,952.33	1,055.00
TOTAL: N	55	54	8	11	19
Mean	28,315.02	7,166.57	2,159.38	2,548.82	1,275.53
Minimum	358	100	500	300	350
Maximum	100,000	30,000	5,000	6,000	4,000
Std. Dev.	34,295.421	4,630.927	1,671.074	2,107.739	812.689

HK: breakdown -insurance	HK: breakdown -med/den	HK: breakdown -POEA, OWWA, Pag-Ibig	HK: Total agency charges (PHP)	Additional costs on top of charges (PHP)	Total: All recruitment costs (PHP)
			15,000.00		15,000.00
			33,000.00	5,050.00	48,025.00
			19,000.00		19,000.00
					10,000.00
			40,250.00		44,916.67
			67,500.00		71,666.67
	2,000.00		23,458.33	4,333.33	59,767.86
	3,500.00		26,009.29	3,500.00	50,062.78
			36,750.00		52,350.00
			29,041.67		49,178.57
	5,000.00		32,903.50	10,600.00	34,647.05
			28,786.67	4,500.00	49,691.11
	3,500.00		24,706.79	5,750.00	57,160.83
	5,000.00		34,822.27	5,000.00	65,583.10
			47,609.20	5,333.33	64,704.60
			37,351.23	4,537.50	63,002.75
			49,221.43	7,333.33	66,045.83
	3,500.00		47,320.84	2,050.00	86,230.73
	2,500.00		39,836.82	4,709.50	84,479.31
	5,000.00		31,194.09	5,666.67	79,256.75
6,000.00	8,000.00		38,956.97	3,043.17	86,689.46
	3,400.00		42,060.41	9,614.29	77,926.00
	2,500.00		36,017.21	9,462.50	77,968.23
	1,940.00		49,601.29	6,559.17	89,349.90
	4,366.67	900.00	48,795.72	5,746.00	87,512.01
1,200.00	3,762.50	195.00	45,143.69	9,375.70	88,389.56
2	32	2	441	128	767
3,600.00	3,559.38	547.50	42,539.61	6,852.93	80,724.07
1,200	1,000	195	1,575	100	1,680
6,000	8,000	900	262,500	40,000	278,750
3,394.113	1,570.671	498.510	33,631.048	6,720.349	43,162.750

APPENDIX D-2

BREAKDOWN OF AGENCY CHARGES: AGENCIES IN THE PHILIPPINES

(Average Values; By Year When DW Used the Agency)

Year DW paid the agency	PH: breakdown -agency fee	PH: breakdown -training, TESDA	PH: breakdown -food, lodging	PH: breakdown -airfare	PH: breakdown -passport, visa
1984					
1988					
1989					
1990					
1991					
1992					
1993					
1994					
1995					
1996					
1997					
1998					
1999					
2000	35,800.00	4,333.33			
2001		2,000.00			750.00
2002	100,000.00	5,500.00	2,500.00		650.00
2003					
2004		1,500.00			570.00
2005	86,666.67	6,250.00		10,800.00	700.00
2006	76,666.67	2,500.00	10,000.00	6,000.00	10,750.00
2007	68,666.67	8,833.33	2,689.00		2,500.00
2008	47,571.43	9,222.22	4,000.00	11,250.00	1,908.75
2009	51,656.25	11,885.71	4,425.00	10,600.00	2,020.00
2010	72,566.67	7,552.63	4,500.00	4,950.00	1,058.33
2011	52,212.12	7,659.46	4,812.50	8,545.83	1,632.50
2012	62,130.68	7,845.00	7,711.11	8,204.76	1,702.00
TOTAL: N	129	152	29	56	89
Mean	59,255.43	7,998.52	5,482.00	8,018.75	1,905.79
Minimum	700	150	378	1,000	425
Maximum	120,000	40,000	30,000	70,000	30,000
Std. Dev.	31,722.328	5,030.553	5,418.109	10,182.626	3,343.307

PH: breakdown -insurance	PH: breakdown -med/den	PH: breakdown- POEA, OWWA, Pag- Ibig	PH: Total agency charges (PHP)	Additional costs on top of charges (PHP)	Total: All recruitment costs (PHP)
					15,000.00
			25,000.00	5,050.00	48,025.00
					19,000.00
			10,000.00		10,000.00
			14,000.00		44,916.67
			80,000.00		71,666.67
			83,750.00	4,333.33	59,767.86
			53,000.00	3,500.00	50,062.78
			56,250.00		52,350.00
			42,500.00		49,178.57
			34,333.33	10,600.00	34,647.05
	3,000.00		67,500.00	4,500.00	49,691.11
			55,000.00	5,750.00	57,160.83
			57,011.76	5,000.00	65,583.10
			65,500.00	5,333.33	64,704.60
			46,210.00	4,537.50	63,002.75
			71,000.00	7,333.33	66,045.83
			64,454.55	2,050.00	86,230.73
	3,500.00		86,500.00	4,709.50	84,479.31
			72,058.82	5,666.67	79,256.75
	3,450.00		78,178.57	3,043.17	86,689.46
2,750.00	3,500.00		70,900.00	9,614.29	77,926.00
4,166.67	3,333.33		75,774.05	9,462.50	77,968.23
	3,937.50	700.00	76,377.43	6,559.17	89,349.90
2,825.00	3,517.31		78,081.25	5,746.00	87,512.01
3,649.33	4,059.09	966.67	80,266.15	9,375.70	88,389.56
15	44	4	568	128	767
3,413.07	3,698.30	900.00	74,433.49	6,852.93	80,724.07
246	375	100	1,880	100	1,680
9,000	11,000	1,400	260,000	40,000	278,750
2,839.739	1,978.448	627.163	37,892.496	6,720.349	43,162.750

APPENDIX E

CORRELATION MATRIX: RECRUITMENT PROBLEMS

(Mean Values; Pearson Correlation, Two-Tailed Test)

NOTES:

*The correlation is symmetrical – the values below the diagonal of “1” are exactly the same as the values above (which are blanked out for simplicity). If variable x is correlated with y, then it is also true that variable y is correlated with x.

*Shaded values – statistically significant correlations (at the 99% or 95% confidence level).

	Year DW paid the agency	HK: Total agency charges (PHP)	PH: Total agency charges (PHP)	Additional costs (on top of agency charges)(PHP)	Total: All recruitment costs (PHP)
Year DW paid the agency	1				
HK: Total agency charges (PHP)	.133**	1			
PH: Total agency charges (PHP)	.199**	-.106	1		
Additional costs (on top of agency charges)(PHP)	.166	-.009	.017	1	
Total: All recruitment costs (PHP)	.259**	.509**	.797**	.200*	1
Wage offered by agency	.188**	.001	.169*	-.073	.083
Total # of instances: wrong or no info.	-.003	.174**	.058	.029	.114**
Total # of instances: benefits will be denied	.016	.032	.065	-.085	-.062
Total # of instances: surrender documents	.137**	.130**	.112**	-.002	.146**
# of Months documents to be kept by agency	.047	.291	.429**	-.170	.410**
Total # of instances: other problems	.137**	.195**	.128**	-.083	.238**

** . Correlation is significant at the 0.01 level (2-tailed).

Wage offered by agency	Total # of instances: wrong or no info.	Total # of instances: benefits will be denied	Total # of instances: surrender documents	# of Months documents to be kept by agency	Total # of instances: other problems
1					
.000	1				
-.037	.100**	1			
-.007	.105**	.005	1		
-.101	.069	.031	-.026	1	
.055	.213**	.133**	.120**	.269*	1

*, Correlation is significant at the 0.05 level (2-tailed).

APPENDIX F-1

HONG KONG AGENCIES SCORECARD: PER CATEGORY OF BAD PRACTICE/VIOLATION

(Average Values; Top 25 Most-Frequently Used Agencies)

Rank (% users)	HK: Name of agency	HK: Total agency charges (PHP)	PH: Total agency charges (PHP)	Additional costs (on top of agency charges) PHP	Total: All recruitment costs (PHP)
1	Emry's Employment Agency	20,572.32	36,233.33	4,777.78	39,892.82
2	Technic Agency	22,467.16	76,317.76	3,000.00	82,608.29
3	Overseas Employment Agency	54,518.83	84,598.57	8,459.38	93,622.18
4	Top Maid Employment Agency	58,459.94	71,408.33	2,790.88	78,573.12
5	Suntec Agency	25,039.38	63,333.33	300.00	57,335.80
6	Aura Employment Agency	37,916.67	44,187.50	8,500.00	70,325.00
6	Sincere Agency	27,597.94	84,611.11	6,000.00	97,543.53
8	Further Creation Employment Agency	23,948.75	70,777.78	3,700.00	88,388.06
8	Premiere Nannies Employment Agency	33,300.75	67,214.29	5,000.00	82,989.56
10	PBI Employment Agency	53,112.20	72,933.33	5,775.00	90,782.63
11	A&E Employment Agency	65,625.00	102,500.00	457.00	125,422.43
11	JC Casa Employment Agency	42,959.08	54,750.00	9,250.00	82,542.42
11	KNB Employment	32,367.30	87,571.43		110,690.93
11	Passen Agency	49,125.00	35,750.00	2,000.00	69,839.29
11	Sunlight Employment Agency	62,187.75	69,120.00		99,058.50
11	Tailor Maid Consultants Company Ltd.	29,657.38	65,400.00	2,500.00	63,465.90
11	Wellcome Employment Centre	44,887.50	32,400.00		68,030.36
18	Bestwell Agency	79,125.00	90,800.00		102,041.67
18	Hi-Cedar Agency	50,015.00	97,600.00	4,000.00	107,007.50
18	Rejoice Employment Agency	55,900.00	75,000.00	3,000.00	59,583.33
18	T&H Agency	20,833.33	69,000.00		67,916.67
18	Top Services	23,303.38	84,600.00	7,700.00	102,702.25
23	Helpful Agency	40,000.00	110,000.00		100,000.00
23	Hosana Agency	68,250.00	25,600.00		80,200.00
23	Lotus Agency	55,125.00	28,000.00		60,725.00

Wage offered by agency (HK\$)	Diff: MAW less offer (below MAW if >0)	Total # of instances: wrong or no info.	Total # of instances: benefits will be denied	Total # of instances: other problems	Total # of instances: surrender docs.	# of Months docs. to be kept by agency
3,577.42	5.16	0.28	0.69	0.28	0.10	2.20
3,612.00	(15.33)	0.50	0.50	0.16	0.06	3.00
3,559.00	26.00	0.65	0.45	0.30	0.20	1.00
3,656.00	36.00	0.94	0.82	0.29	0.24	2.00
3,650.00	43.33	0.42	0.58	0.08	-	
3,425.00	201.67	1.50	-	0.30	0.10	0.50
3,580.00	-	1.30	0.80	0.80	0.40	
3,465.00	40.00	1.00	0.67	0.22	-	
3,542.50	127.50	2.56	0.22	0.22	0.33	1.00
3,626.67	(26.67)	1.13	0.50	1.00	0.25	
3,740.00	-	1.00	0.29	0.71	0.14	
3,673.33	(63.33)	0.86	1.00	0.71	0.29	
3,644.00	68.00	0.57	0.71	0.14	0.29	1.00
3,633.33	-	1.14	1.86	-	0.14	
		1.71	0.71	0.43	-	
3,400.00	(130.00)	1.14	0.71	-	-	
3,560.00	16.00	0.57	0.29	1.00	-	
3,580.00	-	2.17	-	0.50	0.33	
3,686.67	-	0.33	1.17	0.67	0.17	5.00
		1.00	0.67	0.17	0.17	0.75
3,580.00	-	0.67	-	0.17	0.17	
3,653.33	93.33	0.17	1.00	1.17	0.33	1.50
		3.00	-	0.20	-	
		-	-	-	0.20	
3,580.00	(100.00)	0.20	0.60	-	0.80	3.00

APPENDIX F-2

PHILIPPINE AGENCIES SCORECARD: PER CATEGORY OF BAD PRACTICE/VIOLATION

(Average Values; Top 25 Most-Frequently Used Agencies)

Rank (% users)	PH: Name of agency	HK: Total agency charges (PHP)	PH: Total agency charges (PHP)	Additional costs (on top of agency charges) PHP	Total: All recruitment costs (PHP)
1	Ascend Agency	48,891.15	75,480.00	6,120.00	89,439.06
2	All-Pro Staffing	23,940.00	18,785.71	2,225.00	25,971.25
3	God's Will Placement Agency	64,661.33	96,392.31	5,500.00	117,612.00
3	Skytop Services Contractors Inc	79,125.00	110,928.57		114,083.33
5	STD Manpower Services	17,125.50	75,530.77	5,654.50	82,105.04
6	Altima Manpower Agency	59,339.29	88,940.00	17,900.00	113,206.25
6	Find Staff Placement	45,468.75	63,400.00	4,900.00	74,089.58
6	James International Agency	29,406.82	56,350.00		73,914.58
9	ABC Manpower Services	94,437.50	90,133.33	6,400.00	109,250.00
10	Angelex Allied Agency	40,786.67	51,000.00	4,750.00	61,122.00
10	Gammon International	50,015.00	103,111.11	4,000.00	108,204.50
10	King's Manpower Agency	13,774.25	109,444.44	5,000.00	119,182.83
10	Mariz Employment Agency	61,895.83	71,333.33		79,937.50
10	Visayan Consolidated Agency	8,846.25	88,472.22	7,300.00	82,854.25
15	Aims Agency	30,052.75	67,571.43	8,412.50	76,329.61
15	Concord International Services	100,000.00	85,000.00	10,000.00	88,571.43
15	Jedegal Manpower Services	7,106.75	78,111.11	7,728.50	82,987.11
18	Alcare Manpower Agency	80,521.00	52,183.33		99,528.25
18	France Asia Agency	1,942.50	90,170.00		90,412.81
18	Green World Placement	41,343.75	86,000.00	5,500.00	108,046.88
18	MY International Agency	30,000.00	44,657.14	1,000.00	43,075.00
18	Novation Resource Agency	34,472.75	87,571.43		102,479.56
18	Philac Agency	33,510.20	91,621.43	6,000.00	101,862.63
18	Speed Employment Agency	28,068.60	86,500.00	3,500.00	94,691.86
18	Wellcome Employment	47,302.50	59,714.29		81,814.06

Wage offered by agency (HK\$)	Diff: MAW less offer (below MAW if >0)	Total # of instances: wrong or no info.	Total # of instances: benefits will be denied	Total # of instances: other problems	Total # of instances: surrender docs.	# of Months docs. to be kept by agency
3,588.33	52.50	1.17	0.24	0.31	0.07	
3,684.00	(76.00)	0.59	0.65	0.29	-	
3,612.00	64.00	1.47	0.67	0.67	0.27	2.33
3,740.00	(80.00)	1.33	0.47	0.27	0.33	
3,660.00	-	1.08	0.15	0.31	0.08	
3,686.67	-	1.75	1.33	0.67	0.08	1.00
3,672.00	36.00	0.58	0.92	0.25	0.18	5.00
3,375.00	228.33	0.83	0.58	0.17	0.17	0.50
3,634.29	-	1.64	0.73	0.82	0.09	4.00
3,570.00	(40.00)	1.00	0.30	0.20	-	
3,660.00	-	0.70	0.80	0.70	0.10	5.00
3,555.00	(20.00)	0.30	0.60	0.20	-	
3,633.33	(33.33)	0.50	0.30	0.70	0.40	3.00
3,740.00	36.00	0.50	0.60	0.20	0.30	1.00
3,640.00	110.00	0.78	0.89	0.44	0.25	2.00
3,580.00	-	1.78	0.56	0.67	0.11	1.50
3,740.00	90.00	1.22	-	0.33	0.33	5.00
3,580.00	106.67	0.25	0.13	0.13	0.13	1.00
3,740.00	-	1.13	0.38	0.38	0.25	2.00
3,580.00	-	1.38	1.00	0.88	0.63	1.00
3,660.00	-	1.50	1.38	0.75	0.13	
3,690.00	26.67	0.75	0.75	0.13	0.25	1.00
3,560.00	33.33	0.63	0.88	0.38	0.38	
3,720.00	(95.00)	1.13	1.50	0.50	0.13	1.00
3,560.00	16.00	0.63	0.13	0.75	0.13	

APPENDIX G

RECRUITMENT PRACTICES INDEX (RPI)

(Composite Z-scores & Ranks of All Agencies in Hong Kong and the Philippines)

Notes:

*Index Rank: #1 = worst practices/violations

*Usage Rank: #1 = most frequently used agency

*Dark Shade: top 25 most used agencies in HK; top 43 most used agencies in the Philippines (see discussion in Chapter VII-A)

*Light Shade: z-score nearest to zero (i.e. nearest to the group average; see discussion in Chapter VII-C).

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	Citi Maids	2.1494	1
99	Grand Asia Placement	2.0083	2
60	Access Emp.	1.5020	3
99	Ben Employment Agency/Top Services Agency	1.1662	4
99	David Chung	1.1518	5
99	C&C Emp.	1.1451	6
99	Family Care	1.0536	7
42	D&H Employment Agency	1.0338	8
99	Mega D (Causeway Bay)	1.0220	9
99	Kung Wa Agency	1.0054	10
99	Action Employment	.9933	11
99	Jet Pacific	.9806	12
99	Agency Royal	.9569	13
99	Sunshine	.9435	14
42	CNC	.9412	15
99	Employment Paradise	.9292	16
60	Sun Yuet	.9178	17
99	Northern Left Care	.9007	18
42	Altima Agency	.8687	19
99	Perfect Maid	.8492	20
99	Wintip Employment Services	.8401	21
99	Tsun Wan	.8384	22
60	TNH Agency	.8345	23
60	Your Maid	.8241	24
99	Precious Agency	.8151	25
42	Gold Roy Agency	.8133	26
26	Wellmark Employment Services Consultants	.8111	27
99	Kowloon City Employment Agency	.7898	28
99	ABNC Emp.	.7816	29
99	Cobo Employment Agency	.7775	30
99	Trustee Emp.	.7241	31

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Philippine Integrated	2.0663	1
90	Good Speed	1.3707	2
90	International Agency	1.3480	3
90	Infinity	1.2081	4
90	Light & Hope Agency	1.1642	5
66	Hopewell Agency	1.1481	6
90	September Star Agency	1.0755	7
90	Technic	.9618	8
90	Ernest Agency	.9529	9
90	OFW Employment Agency	.9245	10
90	Indo-Pinoy	.9193	11
90	Cagarfod Agency	.9144	12
90	S Line	.8705	13
90	Golden Lights	.8609	14
90	Winsky	.8606	15
90	Perfect Agency	.8514	16
90	Global Medical Agency	.7547	17
50	Staffline Agency	.7371	18
90	Pioneer Manpower	.7255	19
34	PNR Manpower Agency	.6970	20
90	TC Nediro	.6415	21
90	Ohilac Agency	.6326	22
66	EMR	.6024	23
66	Andrene	.5561	24
50	Baguio Benguet International Agency	.5496	25
18	Green World Placement	.5415	26
50	SBEE International	.5327	27
90	Far East International	.5309	28
50	Anifel Management Emp. Agency	.5284	29
90	Mariposa	.4952	30
90	Marvel Agency	.4905	31

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	Winna Emp. Agency	.7059	32
99	Unique Recruitment Agency	.7007	33
99	Fancy	.6593	34
99	Glory International	.6589	35
99	Word Wide Emp.	.6437	36
99	Masters International	.6437	37
99	Unlimited	.6359	38
99	Irise Consultant	.6186	39
99	Mission Employment Agency	.6091	40
42	Pacific Agency	.5934	41
60	P&R Agency	.5756	42
99	Good Maid	.5646	43
60	Apec Agency	.5605	44
99	Deng Hu	.5553	45
60	Good Link Consultant	.5450	46
26	Great Top Employment	.5301	47
99	Carieg Agency	.5208	48
99	Cross Country (Singapore)	.5179	49
99	Eugine	.5078	50
99	Smart Helper Agency	.5033	51
99	THN Employment	.4945	52
99	Faith Agency	.4842	53
60	Arrow Emp.	.4669	54
99	Chen-chen	.4583	55
99	Yuk Fai	.4573	56
60	Prosperous Agency	.4522	57
99	Sonmass	.4440	58
99	IPT Employment Agency	.4425	59
99	Shun Yuet Service Centre	.4351	60
99	Advance Agency	.4283	61
99	Everlasting	.4091	62
99	Ocean Fine	.4082	63
99	B&A Agency	.4026	64
18	Bestwell Agency	.3723	65
99	Coldroy Agency	.3703	66
99	Grand Royale Emp. Agency	.3539	67
99	J&A Employment	.3486	68
26	Reliable Agency	.3298	69
60	Kaishing Agency	.3264	70
99	La Maid Recruitment Agency	.3259	71
26	Goodrich Agency	.3200	72

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Prima	.4857	32
90	Starborne International	.4693	33
50	Pilipinas McLain Employment Agency	.4679	34
90	World view	.4590	35
90	OLM	.4558	36
90	Mayon Agency	.4485	37
90	RYT Agency	.4447	38
50	Eugene International Services	.4423	39
6	Altima Manpower Agency	.4392	40
90	Manpower Forever	.4315	41
50	Luzvimin Agency	.4261	42
90	Hossana	.4183	43
66	Jao Agency	.4074	44
90	Baguio Investment	.4054	45
3	Skytop Services Contractors Inc.	.3744	46
3	God's Will Placement Agency	.3706	47
66	Placewell Int'l. Agency	.3544	48
44	P&R Manpower Agency Inc.	.3520	49
90	Morty Agency	.3327	50
90	Kanya Services	.3219	51
66	Sincere Agency	.3091	52
90	MIP	.3041	53
9	ABC Manpower Services	.2904	54
34	Hongkong Fil International Services	.2857	55
66	Asian International Manpower Services	.2850	56
50	Zontar Agency	.2768	57
50	MRH Emp.	.2766	58
90	Alice	.2726	59
44	D.A. Rodrigo International	.2581	60
29	Angelica Agency	.2563	61
90	Francisco Agency	.2521	62
10	Gammon International	.2485	63
18	Philac Agency	.2467	64
15	Concord International Services	.2465	65
66	Mothers Way Emp.	.2433	66
90	Allied Agency	.2377	67
90	Ocean Fine Emp.	.2326	68

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
6	Sincere Agency	.3169	73
60	Laguna Agency	.3122	74
60	Mariz Manpower	.2824	75
11	A&E Employment Agency	.2664	76
42	Francis So & Co.	.2434	77
60	Eye Quest	.2430	78
26	Ivy's Agency	.2417	79
99	Marco Agency	.2350	80
99	EM Agency	.2271	81
99	Splendid	.2266	82
60	Anlida Employment Agency	.2265	83
18	Top Services	.2186	84
99	Prime Services	.2009	85
10	PBI Employment Agency	.1989	86
99	Everybody Emp.	.1974	87
99	Ascend International	.1941	88
99	Todi	.1926	89
8	Premiere Nannies Employment Agency	.1871	90
11	Sunlight Employment Agency	.1844	91
42	Ying Nam Agency	.1812	92
11	JC Casa Employment Agency	.1793	93
99	Guru Employment	.1768	94
60	Homemaid	.1758	95
18	Hi-Cedar Agency	.1656	96
99	Delnus Emp. Agency	.1589	97
99	South Horizon (Ma. Lourdes Vasquez)	.1568	98
99	Fabulous	.1557	99
60	Wai Fu Agency	.1546	100
99	Humania International	.1487	101
99	Stable Maid Agency	.1464	102
99	Angelex Allied Agency	.1451	103
23	Helpful Agency	.1341	104
99	Teh Emp.	.1278	105
60	KNP Agency	.1181	106
99	TGH Placement Company	.1097	107
60	STD Agency	.1016	108
26	Lekson Agency	.0887	109
99	Sia	.0843	110
26	Madam Jo International	.0841	111
26	Get Maid Employment Agency	.0832	112

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Ledman Employment	.2202	69
34	Humania International	.2095	70
90	Best Well	.2002	71
50	Aura Employment Agency	.1946	72
66	Dolma Employment	.1780	73
18	Speed Employment Agency	.1767	74
50	Hi-Cedar	.1756	75
26	Top Maids Agency	.1723	76
34	Greenfield Agency	.1711	77
90	Steady Agency	.1702	78
66	Zemar Agency	.1609	79
50	Good Day Agency	.1511	80
90	Sunlight Manpower	.1451	81
66	Cobo Employment Agency	.1339	82
18	France Asia Agency	.1254	83
29	Adana Employment Agency	.1215	84
44	Inter Globe Employment	.1140	85
18	Novation Resource Agency	.0964	86
15	Aims Agency	.0901	87
66	Globus Agency	.0867	88
10	King's Manpower Agency	.0801	89
10	Mariz Employment Agency	.0726	90
15	Jedegal Manpower Services	.0703	91
90	Anra Emp.	.0683	92
29	Active Works Employment Agency	.0639	93
90	Honor Deployment Agency	.0523	94
10	Visayan Consolidated Agency	.0516	95
90	Global Filipinos	.0423	96
34	Bright Star Agency	.0357	97
34	Emerald Manpower Recruitment Agency	.0293	98
66	G Manpower	.0286	99
90	Paris Agency	.0223	100
90	BBA Agency	.0210	101
29	Dalzen Employment Agency	.0183	102
90	RMES-Welcome	.0132	103
50	Trends International	.0124	104

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	Tee Agency	.0781	113
42	Hong Thai Agency	.0773	114
99	MY International Manpower	.0707	115
23	Lotus Agency	.0642	116
26	Yatka Agency	.0633	117
3	Overseas Employment Agency	.0591	118
11	KNB Employment	.0555	119
99	Island West Agency	.0537	120
60	Star Care Agency	.0536	121
26	Blessings Employment Agency	.0528	122
99	RV Tria Agency	.0485	123
99	Pleasant Agency	.0464	124
11	Passen Agency	.0438	125
60	ABC Manpower	.0430	126
99	Carrying Employment	.0419	127
42	T.C. Company International	.0367	128
4	Top Maid Employment Agency	.0304	129
60	Good Family Employment Agency	.0223	130
99	City Employment	.0021	131
99	Upgrade Agency	.0005	132
99	CU Consultancy & Employment Agency	-.0026	133
11	Wellcome Employment Centre Ltd	-.0041	134
99	Hundred Years Employment Agency	-.0117	135
6	Aura Employment Agency	-.0146	136
99	C&K Agency	-.0151	137
60	Casa Employment Agency	-.0180	138
42	JN Employment	-.0267	139
99	Ansin Employment	-.0336	140
26	Golden Peak Employment Agency	-.0370	141
42	Pacific Jet Consultants	-.0377	142
42	Pacific Garden	-.0398	143
26	Hongkong Fil Agency	-.0421	144
99	Waikiki	-.0428	145
99	Asia Link	-.0441	146
99	H&C Employment	-.0445	147
99	Resources Agency	-.0455	148
42	Smart Team	-.0484	149
42	Desert Wealth	-.0513	150

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
66	7 Oceans Employment Agency	.0046	105
90	Singkong Int'l.	.0012	106
1	Ascend Agency	-.0070	107
90	Right Man	-.0172	108
66	KNB Agency	-.0194	109
18	MY International Agency	-.0199	110
34	Nuariz Agency	-.0217	111
18	Wellcome Employment	-.0252	112
90	JPI (Ermita, Manila)	-.0310	113
34	Desert Wealth	-.0377	114
50	Sacred Heart International Services	-.0387	115
90	United Talents Employment	-.0404	116
90	Anpro Manpower	-.0484	117
90	Suntec	-.0500	118
5	STD Manpower Services	-.0541	119
90	Reliable Recruitment Agency	-.0564	120
44	J Mac	-.0575	121
66	GM Agency	-.0590	122
90	Global Agency	-.0805	123
6	Find Staff Placement	-.0855	124
6	James International Agency	-.0887	125
44	Manpower International	-.1051	126
50	DSI International	-.1136	127
90	Boom Town	-.1194	128
90	Manwor Agency	-.1238	129
66	JIP International Services	-.1420	130
34	SK Manpower Services	-.1503	131
90	JM Agency	-.1643	132
90	Love Manpower	-.1709	133
90	EMS Agency	-.1781	134
18	Alcare Manpower Agency	-.1786	135
90	THD Employment	-.1804	136
26	Jensen Manpower International	-.1817	137
90	SA Employment Agency	-.1828	138
90	SIA Employment Agency	-.1828	138
90	J&L Agency	-.1886	140
90	Silktop	-.1897	141
90	Forever Agency	-.2020	142

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	Miko	-.0523	151
60	Asia One	-.0622	152
99	Sun Employment Agency	-.0646	153
60	Image Employment	-.0696	154
99	AAA Emp.	-.0696	155
99	Fine Ocean	-.0856	156
42	Good Hands Employment Agency	-.0861	157
99	National Human Resources	-.0953	158
60	Welmer's Employment Agency	-.1006	159
8	Further Creation Employment Agency	-.1007	160
60	Allwin Agency	-.1072	161
60	Pak Yue Agency	-.1072	162
18	Rejoice Employment Agency	-.1098	163
99	D' Sun	-.1137	164
99	Human Aggregates	-.1166	165
99	Elise	-.1213	166
60	Ka Wao Consultants	-.1244	167
60	Asia Top Agency	-.1282	168
60	Triumph Line	-.1323	169
23	Hosana Agency	-.1340	170
99	Top Aides	-.1408	171
60	Gammon Agency	-.1417	172
60	Aim World	-.1477	173
26	Bright International Employment	-.1518	174
26	Baguio Employment Agency	-.1575	175
99	Main Top Investment	-.1607	176
99	Smart Metro	-.1612	177
99	First Emp. Agency	-.1625	178
99	Mrs. Chaw Agency	-.1626	179
99	Apex Consulting Agency	-.1652	180
99	Northy Agency	-.1652	180
99	Online Maids	-.1748	182
99	Nan Fung Agency	-.1832	183
99	Good Edith	-.1884	184
2	Technic Agency	-.1997	185
99	Assurance Services Company	-.2113	186
18	T&H Agency	-.2124	187
99	TH Employment	-.2150	188
99	Ms. Ma Agency	-.2213	189
26	HKI Agency	-.2309	190
99	Homes Employment	-.2403	191

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Goldwin	-.2135	143
44	Overseas Manpower Services	-.2144	144
66	Michael Angelo Manpower Exponent Inc	-.2158	145
50	RV Tria Agency	-.2214	146
66	Great I Agency	-.2330	147
90	Aquagen Agency	-.2433	148
90	Eye Quest	-.2433	148
90	FLB Employment Agency	-.2433	148
34	John Maurice International	-.2459	151
90	TDH Manpower	-.2490	152
66	Gold & Green Agency	-.2517	153
90	D&H Employment	-.2619	154
90	Interworld Placement Agency	-.2678	155
90	Ermita Agency	-.2828	156
90	Royal Agency	-.2846	157
10	Angelex Allied Agency	-.2926	158
2	All-Pro Staffing	-.3157	159
90	HTD Employment	-.3239	160
90	Primary Agency	-.3246	161
66	TD Agency	-.3320	162
26	Emry's Agency	-.3564	163
66	Kally Agency	-.3710	164
90	JMI Agency	-.3767	165
90	Further Creation Agency	-.3777	166
90	Happy Family	-.4034	167
90	MD Manpower Agency	-.4034	167
66	AAA Agency	-.4168	169
90	Stars	-.4432	170
90	Ira (Singapore)	-.4498	171
90	Baguio International	-.4594	172
29	Chance Team	-.5046	173
90	Well Skilled Agency	-.5325	174
90	Welmark Agency	-.5325	174
90	Yatka	-.5325	174
66	Brent	-.5538	177
90	JMC	-.5738	178
90	Asia One	-.6151	179
90	Galcent Agency	-.6151	179
90	MITs Agency	-.6151	179
90	CPM Manpower	-.6273	182
90	Max International Placement Inc.	-.6564	183

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
11	Tailor Maid Consultants Company Ltd.	-.2416	192
42	Asian Charm	-.2446	193
99	Mrs. Lim	-.2521	194
99	Concord Agency	-.2746	195
99	Comfort Agency	-.2782	196
99	Gracious	-.2789	197
99	Maid Helper Agency	-.2937	198
1	Emry's Employment Agency	-.2981	199
99	Once Employment	-.3071	200
60	Cris Beanne	-.3086	201
99	Meticulous Employment Agency	-.3127	202
99	Blue Sky	-.3184	203
99	Mass Trinity	-.3246	204
99	West Lake Manpower Agency	-.3246	204
5	Suntec Agency	-.3348	206
99	Bestnel Employment Agency	-.3477	207
99	Chin House Agency	-.3477	207
99	FLB Employment Agency	-.3477	207
99	Haceda	-.3477	207
99	Happy Agency	-.3477	207
99	Happy Maid	-.3489	212
99	Kally Agency	-.3506	213
99	McLin Agency	-.3709	214
60	Trends International	-.3735	215
26	Once Employment	-.3752	216
99	Femax	-.3757	217
99	Asia World	-.3941	218
60	Philstar Employment & General Services	-.4002	219
42	Millennium Agency	-.4084	220
99	Premium Employment	-.4159	221
42	Success Agency	-.4298	222
60	Yip Sing	-.4333	223
99	Dalzhen	-.4594	224
99	Megasea	-.4594	224
99	Newaygo	-.4813	226
99	Berskley Agency	-.4842	227
60	Manpower Agency	-.5022	228
99	Paradise	-.5100	229
99	Morty Arbao	-.5160	230
99	Maxbetter	-.5176	231
60	WF Emp.	-.5337	232
99	Log On	-.5377	233

PHILIPPINES			
Usage Rank	Agency in the Philippines	Overall z-Score	RPI Rank
90	Polymaids Employment Agency	-.6564	183
90	Excellent	-.6846	185
90	Del Agency	-.6892	186
90	Mark Agency	-.8217	187
90	Mitch	-.8341	188
90	Transkills Agency	-.8547	189
90	Goodwill Employment Agency	-1.9080	190
*** End of list. Maximum rank = 190 ***			

HONG KONG			
Usage Rank	Agency in Hong Kong	Overall z-Score	RPI Rank
99	PRO Agency	-.5445	234
99	Amaneth Agency	-.5564	235
99	Wanjo Agency	-.5564	235
99	Finest Agency	-.5943	237
99	JMJ Agency	-.6118	238
60	Josie & James	-.6588	239
99	Honor Club Agency	-.6619	240
99	Professional Agency	-.6950	241
99	Jobs R Us	-.7059	242
99	Jedegal Agency	-.7309	243
99	Maid Heart	-.8058	244
99	Perfect Employment	-.8066	245
*** End of list. Maximum rank = 245 ***			

APPENDIX H-1

TRANSBORDER PATTERN: AGENCY IN HONG KONG USED BY RESPONDENTS AND THE CORRESPONDING AGENCIES THEY USED IN THE PHILIPPINES

(All Agencies in Hong Kong; Alphabetical Listing)

Notes:

*Complete listing of agencies in Hong Kong (in alphabetical order).

* "Corresponding agency used by respondents" does not necessarily mean that the agencies in HK and the Philippines work together or that they have formal/legal partnership.

*Index Rank #1 = worst practices/violations

*Usage Rank #1 = most frequently used agency

*Column D: Blank means that the DW only used the agency in Hong Kong, but no corresponding agency in the Philippines

*Column D: "Total" means the overall z-score of the agency in Hong Kong, which includes the effects of being linked to the z-scores of all corresponding agencies in the Philippines. This total/final z-score is equal to the "overall z-score" of the Hong Kong agency shown in Appendix F.

*Column E: Shows the final z-score (all categories of bad practices/violations) of each corresponding agency in the Philippines (in so far as they are linked to the same primary agency in Hong Kong). If the z-score of the corresponding agency is positive (i.e. above average; meaning the practices/violations are worse), then this also increases the overall z-score of the primary agency in Hong Kong. If the corresponding agency has a bad z-score, this worsens the overall z-score (and index rank) of the primary agency. Conversely, if the corresponding agency's practices are good, this also improves the overall z-score/rank of the primary agency.

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
11	76	A&E Employment Agency	Baguio Benguet International Agency	.6703
			BBA Agency	.1888
			Jedegal Manpower Services	-.1905
			World view	.0464
			Total	.2664
99	155	AAA Emp.	Alcare Manpower Agency	-.0696
			Total	-.0696
60	126	ABC Manpower		.0430

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	.0430
99	29	ABNC Emp.	Altima Manpower Agency	.7816
			Total	.7816
60	3	Access Emp.	EMR	1.4987
			Greenfield Agency	1.5053
			Total	1.5020
99	11	Action Employment		.9933
			Total	.9933
99	61	Advance Agency	France Asia Agency	.4283
			Total	.4283
99	13	Agency Royal	Jao Agency	.9569
			Total	.9569
60	173	Aim World	Bright Star Agency	-.1477
			Total	-.1477
60	161	Allwin Agency	France Asia Agency	-.1072
			Total	-.1072
42	19	Altima Agency		1.3150
			Altima Manpower Agency	.5284
			Indo-Pinoy	.7627
			Total	.8687
99	235	Amaneth Agency	MITs Agency	-.5564
			Total	-.5564
99	103	Angelex Allied Agency		.1451
			Total	.1451
60	83	Anlida Employment Agency	Adana Employment Agency	.2265
			Total	.2265
99	140	Ansin Employment	Primary Agency	-.0336
			Total	-.0336
60	44	Apec Agency	Altima Manpower Agency	.5605
			Total	.5605
99	180	Apex Consulting Agency		-.1652
			Total	-.1652
60	54	Arrow Emp.	MRH Employment	.4669
			Total	.4669
99	88	Ascend International		.1941
			Total	.1941
99	146	Asia Link		-.0441
			Total	-.0441
60	152	Asia One	J Mac	-.0622
			Total	-.0622
60	168	Asia Top Agency	Bright Star Agency	.4158
			Mark Agency	-.6723
			Total	-.1282
99	218	Asia World	Find Staff Placement	-.3941
			Total	-.3941
42	193	Asian Charm		-.1745
			D&H Employment	-.2128
			Happy Family	-.3466

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	-.2446
99	186	Assurance Services Company	God's Will Placement Agency	-.2113
			Total	-.2113
6	136	Aura Employment Agency		-.4533
			[not specified/can't remember]	1.8884
			James International Agency	-.2002
			JIP International Services	.0732
			Total	-.0146
99	64	B&A Agency	Jedegal Manpower Services	.4026
			Total	.4026
26	175	Baguio Employment Agency	Ascend Agency	-.1658
			JPI (Ermita, Manila)	-.1328
			Total	-.1575
99	4	Ben Employment Agency/ Top Services Agency	God's Will Placement Agency	1.1662
			Total	1.1662
99	227	Berskley Agency	Desert Wealth	-.4842
			Total	-.4842
99	207	Bestnel Employment Agency	Skytop Services Contractors Inc.	-.3477
			Total	-.3477
18	65	Bestwell Agency	Skytop Services Contractors Inc.	.3723
			Total	.3723
26	122	Blessings Employment Agency		-.2105
			Hongkong Fil International Services	.3162
			Total	.0528
99	203	Blue Sky	Greenfield Agency	-.3184
			Total	-.3184
26	174	Bright International Employment		-.6037
			Adana Employment Agency	-.0012
			Total	-.1518
99	6	C&C Emp.	Skytop Services Contractors Inc.	1.1451
			Total	1.1451
99	137	C&K Agency	Philac Agency	-.0151
			Total	-.0151
99	48	Carieg Agency	Angelica Agency	.5208
			Total	.5208
99	127	Carrying Employment	Allied Agency	.0419
			Total	.0419
60	138	Casa Employment Agency		-.0180
			Total	-.0180
99	55	Chen-chen	Find Staff Placement	.4583
			Total	.4583
99	207	Chin House Agency	Aquagen Agency	-.3477
			Total	-.3477
99	1	Citi Maids	Aims Agency	2.1494
			Total	2.1494
99	131	City Employment	Singkong Int'l.	.0021
			Total	.0021
42	15	CNC	S Line	.8504

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Staffline Agency	.9866
			Total	.9412
99	30	Cobo Employment Agency	Dalzen Employment Agency	.7775
			Total	.7775
99	66	Coldroy Agency	Ascend Agency	.3703
			Total	.3703
99	196	Comfort Agency	Greenfield Agency	-.2782
			Total	-.2782
99	195	Concord Agency		-.2746
			Total	-.2746
60	201	Cris Beanne	Humania International	-.3086
			Total	-.3086
99	49	Cross Country (Singapore)		.5179
			Total	.5179
99	133	CU Consultancy & Employment Agency		-.0026
			Total	-.0026
99	164	D' Sun		-.1137
			Total	-.1137
42	8	D&H Employment Agency		.9582
			ABC Manpower Services	1.2882
			Altima Manpower Agency	.8549
			Total	1.0338
99	224	Dalzen		-.4594
			Total	-.4594
99	5	David Chung	ABC Manpower Services	1.1518
			Total	1.1518
99	97	Delnus Emp. Agency	Ocean Fine Emp.	.1589
			Total	.1589
99	45	Deng Hu	Altima Manpower Agency	.5553
			Total	.5553
42	150	Desert Wealth		.0963
			MD Manpower Agency	-.3466
			Total	-.0513
99	166	Elise	Mariz Employment Agency	-.1213
			Total	-.1213
99	81	EM Agency	GM Agency	.2271
			Total	.2271
99	16	Employment Paradise	J Mac	.9292
			Total	.9292
1	199	Emry's Employment Agency		-.2779
			[not specified/can't remember]	-.3601
			All-Pro Staffing	-.3280
			Anpro Manpower	-.2755
			Cobo Employment Agency	-.6904
			Emry's Agency	-.3851
			Greenfield Agency	-.1017
			Interworld Placement Agency	-.1121
			J&L Agency	-.1787

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			KNB Agency	-.1764
			MY International Agency	-.4511
			P&R Manpower Agency Inc.	.8798
			TD Agency	-.3758
			TDH Manpower	-.2819
			Total	-.2981
99	50	Eugine		.5078
			Total	.5078
99	62	Everlasting	Zemar Agency	.4091
			Total	.4091
99	87	Everybody Emp.	D.A. Rodrigo International	.1974
			Total	.1974
60	78	Eye Quest	Hi-Cedar	.2430
			Total	.2430
99	99	Fabulous	Inter Globe Employment	.1557
			Total	.1557
99	53	Faith Agency	Angelex Allied Agency	.4842
			Total	.4842
99	7	Family Care	OFW Employment Agency	1.0536
			Total	1.0536
99	34	Fancy	God's Will Placement Agency	.6593
			Total	.6593
99	217	Femax		-.3757
			Total	-.3757
99	156	Fine Ocean	Dolma Employment	-.0856
			Total	-.0856
99	237	Finest Agency	Visayan Consolidated Agency	-.5943
			Total	-.5943
99	178	First Emp. Agency	Humania International	-.1625
			Total	-.1625
99	207	FLB Employment Agency	FLB Employment Agency	-.3477
			Total	-.3477
42	77	Francis So & Co.		-.2535
			Eugene International Services	.4918
			Total	.2434
8	160	Further Creation Employment Agency	[not specified / can't remember]	.0702
			Anifel Management Emp. Agency	.1120
			JMI Agency	-.3498
			SA Employment Agency	-.2091
			SIA Employment Agency	-.2091
			Visayan Consolidated Agency	-.1302
			Total	-.1007
60	172	Gammon Agency	Gammon International	-.1417
			Total	-.1417
26	112	Get Maid Employment Agency	Mothers Way Emp.	.3821
			Trends International	-.2156
			Total	.0832
99	35	Glory International	Concord International Services	.6589

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	.6589
42	26	Gold Roy Agency	Ascend Agency	.5566
			Hopewell Agency	1.3266
			Total	.8133
26	141	Golden Peak Employment Agency	RMES-Welcome	.3951
			Silktop	-.0795
			Skytop Services Contractors Inc.	-.2318
			Total	-.0370
99	184	Good Edith		-.1884
			Total	-.1884
60	130	Good Family Employment Agency		.2951
			JM Agency	-.2504
			Total	.0223
42	157	Good Hands Employment Agency	Michael Angelo Manpower Exponent Inc	-.2982
			Prima	.3381
			Total	-.0861
60	46	Good Link Consultant		1.3059
			Angelex Allied Agency	-.2160
			Total	.5450
99	43	Good Maid	PNR Manpower Agency	.5646
			Total	.5646
26	72	Goodrich Agency	ABC Manpower Services	-.0336
			P&R Manpower Agency Inc.	.1283
			PNR Manpower Agency	.5928
			Total	.3200
99	197	Gracious	Visayan Consolidated Agency	-.2789
			Total	-.2789
99	2	Grand Asia Placement	PNR Manpower Agency	2.0083
			Total	2.0083
99	67	Grand Royale Emp. agency	Jao Agency	.3539
			Total	.3539
26	47	Great Top Employment		.2828
			God's Will Placement Agency	.7775
			Total	.5301
99	94	Guru Employment	Manpower Forever	.1768
			Total	.1768
99	147	H&C Employment	Reliable Recruitment Agency	-.0445
			Total	-.0445
99	207	Haceda	Eye Quest	-.3477
			Total	-.3477
99	207	Happy Agency	Ascend Agency	-.3477
			Total	-.3477
99	212	Happy Maid	Zemar Agency	-.3489
			Total	-.3489
23	104	Helpful Agency		.2315
			[not specified/can't remember]	.6884
			Ascend Agency	-.2403
			Total	.1341

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
18	96	Hi-Cedar Agency	Gammon International	.1997
			Sincere Agency	-.0053
			Total	.1656
26	190	HKI Agency	SK Manpower Services	-.2309
			Total	-.2309
60	95	Homemaid	Globus Agency	.1758
			Total	.1758
99	191	Homes Employment	Dalzen Employment Agency	-.2403
			Total	-.2403
42	114	Hong Thai Agency		-.5599
			[not specified/can't remember]	.1722
			Andrene	.6194
			Total	.0773
26	144	Hongkong Fil Agency		-.2016
			Philac Agency	.9255
			Transkills Agency	-.6908
			Total	-.0421
99	240	Honor Club Agency	James International Agency	-.6619
			Total	-.6619
23	170	Hosana Agency	[not specified/can't remember]	-.3477
			Chance Team	-.0806
			Total	-.1340
99	165	Human Aggregates		-.1166
			Total	-.1166
99	101	Humania International	Humania International	.1487
			Total	.1487
99	135	Hundred Years Employment Agency	Aims Agency	-.0117
			Total	-.0117
60	154	Image Employment	Gold & Green Agency	-.0884
			Goldwin	-.0507
			Total	-.0696
99	59	IPT Employment agency		.4425
			Total	.4425
99	39	Irise Consultant	Mariz Employment Agency	.6186
			Total	.6186
99	120	Island West Agency	Zontar Agency	.0537
			Total	.0537
26	79	Ivy's Agency	[not specified/can't remember]	-.3757
			Cagarfod Agency	.9144
			RV Tria Agency	-.2043
			RYT Agency	.6324
			Total	.2417
99	68	J&A Employment	Speed Employment Agency	.3486
			Total	.3486
11	93	JC Casa Employment Agency	Andrene	.0400
			Anra Employment	.3606
			Good Speed	1.3300

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Speed Employment Agency	-.1189
			Total	.1793
99	243	Jedegal Agency		-.7309
			Total	-.7309
99	12	Jet Pacific	Pioneer Manpower	.9806
			Total	.9806
99	238	JMJ Agency		-.6118
			Total	-.6118
42	139	JN Employment		-.4721
			Global Filipinos	.0423
			Speed Employment Agency	.3496
			Total	-.0267
99	242	Jobs R Us		-.7059
			Total	-.7059
60	239	Josie & James		-.6588
			Total	-.6588
60	167	Ka Wao Consultants	Find Staff Placement	-.1244
			Total	-.1244
60	70	Kaishing Agency	Angelica Agency	.3264
			Total	.3264
99	213	Kally Agency	Kally Agency	-.3506
			Total	-.3506
11	119	KNB Employment	Novation Resource Agency	.0555
			Total	.0555
60	106	KNP Agency	Angelica Agency	.1181
			Total	.1181
99	28	Kowloon City Employment Agency		.7898
99	10	Kung Wa Agency	Hopewell Agency	1.0054
			Total	1.0054
99	71	La Maid Recruitment Agency		.3259
			Total	.3259
60	74	Laguna Agency	D.A. Rodrigo International	.5728
			EMR	.0517
			Total	.3122
26	109	Lekson Agency		.0340
			Ira (Singapore)	-.2704
			Nuariz Agency	.3010
			Speed Employment Agency	.2902
			Total	.0887
99	233	Log On	Jedegal Manpower Services	-.5377
			Total	-.5377
23	116	Lotus Agency		-.1567
			Mariz Employment Agency	.1194
			Total	.0642
26	111	Madam Jo International		-.2949
			[not specified/can't remember]	-.1901
			Ascend Agency	.1927

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			James International Agency	.6287
			Total	.0841
99	244	Maid Heart		-.8058
			Total	-.8058
99	198	Maid Helper Agency	HTD Employment	-.2937
			Total	-.2937
99	176	Main Top Investment	Jedegal Manpower Services	-.1607
			Total	-.1607
60	228	Manpower Agency		-.5022
			Total	-.5022
99	80	Marco Agency	Emry's Agency	.2350
			Total	.2350
60	75	Mariz Manpower		.2824
			Total	.2824
99	204	Mass Trinity	Altima Manpower Agency	-.3246
			Total	-.3246
99	37	Masters International		.6437
			Total	.6437
99	231	Maxbetter	Del Agency	-.5176
			Total	-.5176
99	214	McLin Agency	Royal Agency	-.3709
			Total	-.3709
99	9	Mega D (Causeway Bay)		1.0220
			Total	1.0220
99	224	Megasea	Baguio International	-.4594
			Total	-.4594
99	202	Meticulous Employment Agency	[not specified/can't remember]	-.3127
			Total	-.3127
99	151	Miko		-.0523
			Total	-.0523
42	220	Millennium Agency		-.3228
			Max International Placement Inc.	-.5796
			Total	-.4084
99	40	Mission Employment Agency	Jedegal Manpower Services	.6091
			Total	.6091
99	230	Morty Arbao		-.5160
			Total	-.5160
99	179	Mrs. Chaw Agency	STD Manpower Services	-.1626
			Total	-.1626
99	194	Mrs. Lim	RV Tria Agency	-.2521
			Total	-.2521
99	189	Ms. Ma Agency	Aims Agency	-.2213
			Total	-.2213
99	115	MY International Manpower	United Talents Employment	.0707
			Total	.0707
99	183	Nan Fung Agency	God's Will Placement Agency	-.1832
			Total	-.1832
99	158	National Human Resources	Find Staff Placement	-.0953

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	-.0953
99	226	Newaygo	Angelex Allied Agency	-.4813
			Total	-.4813
99	18	Northern Left Care	TC Nediro	.9007
			Total	.9007
99	180	Northy Agency		-.1652
			Total	-.1652
99	63	Ocean Fine	Dolma Employment	.4082
			Total	.4082
99	200	Once Employment	Aims Agency	-.3071
			Total	-.3071
26	216	Once Employment	Aims Agency	-.3423
			Asian International Manpower Services	-.4737
			Total	-.3752
99	182	Online Maids		-.1748
			Total	-.1748
3	118	Overseas Employment Agency		-.4485
			7 Oceans Employment Agency	-.2087
			AAA Agency	.0863
			Alcare Manpower Agency	.1055
			Aura Employment Agency	-.1070
			Far East International	.6697
			Overseas Manpower Services	-.2955
			Philac Agency	.1127
			Philippine Integrated	1.5001
			Total	.0591
60	42	P&R Agency		.5756
			Total	.5756
42	41	Pacific Agency		.1209
			Desert Wealth	-.0420
			Infinity	1.7013
			Total	.5934
42	143	Pacific Garden	Find Staff Placement	-.5935
			Humania International	.1877
			MIP	.2863
			Total	-.0398
42	142	Pacific Jet Consultants		-.4120
			Sacred Heart International Services	.1495
			Total	-.0377
60	162	Pak Yue Agency	Ascend Agency	-.1072
			Total	-.1072
99	229	Paradise	J Mac	-.5100
			Total	-.5100
11	125	Passen Agency		.0679
			[not specified/can't remember]	.1014
			ABC Manpower Services	.1707
			Altima Manpower Agency	-.0847
			Total	.0438

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
10	86	PBI Employment Agency		1.2559
			Angelex Allied Agency	-.1718
			Angelica Agency	.5550
			King's Manpower Agency	.6388
			Total	.1989
99	245	Perfect Employment		-.8066
			Total	-.8066
99	20	Perfect Maid		.8492
			Total	.8492
60	219	Philstar Employment & General Services		-.4594
			JIP International Services	-.3410
			Total	-.4002
99	124	Pleasant Agency		.0464
			Total	.0464
99	25	Precious Agency	Visayan Consolidated Agency	.8151
			Total	.8151
8	90	Premiere Nannies Employment Agency		.1906
			[not specified/can't remember]	-.3307
			DSI International	-.1264
			France Asia Agency	.4292
			Jedegal Manpower Services	-.4238
			Light & Hope Agency	1.4518
			Total	.1871
99	221	Premium Employment		-.4159
			Total	-.4159
99	85	Prime Services	OLM	.2009
			Total	.2009
99	234	PRO Agency		-.5445
			Total	-.5445
99	241	Professional Agency	Angelex Allied Agency	-.6950
			Total	-.6950
60	57	Prosperous Agency		-.3149
			Winsky	1.2193
			Total	.4522
18	163	Rejoice Employment Agency		-.0530
			Top Maids Agency	-.3941
			Total	-.1098
26	69	Reliable Agency		-.3300
			International Agency	1.2557
			Manpower International	.7236
			Total	.3298
99	148	Resources Agency	Jedegal Manpower Services	-.0455
			Total	-.0455
99	123	RV Tria Agency	RV Tria Agency	.0485
			Total	.0485
99	60	Shun Yuet Service Centre	Starborne International	.4351
			Total	.4351
99	110	Sia	Green World Placement	.0843

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	.0843
6	73	Sincere Agency	Active Works Employment Agency	-.0263
			Green World Placement	.6545
			Mitch	-.6793
			Total	.3169
99	51	Smart Helper Agency	Altima Manpower Agency	.5033
			Total	.5033
99	177	Smart Metro	Novation Resource Agency	-.1612
			Total	-.1612
42	149	Smart Team	Nuariz Agency	-.0889
			Paris Agency	.0328
			Total	-.0484
99	58	Sonmass	Ascend Agency	.4440
			Total	.4440
99	98	South Horizon (Ma. Lourdes Vasquez)		.1568
			Total	.1568
99	82	Splendid	Morty Agency	.2266
			Total	.2266
99	102	Stable Maid Agency		.1464
			Total	.1464
60	121	Star Care Agency	P&R Manpower Agency Inc.	.0536
			Total	.0536
60	108	STD Agency		.1694
			STD Manpower Services	.0338
			Total	.1016
42	222	Success Agency	Good Day Agency	-.4150
			Jensen Manpower International	-.4594
			Total	-.4298
99	153	Sun Employment Agency		-.0646
			Total	-.0646
60	17	Sun Yuet	Concord International Services	.9178
			Total	.9178
11	91	Sunlight Employment Agency	Alcare Manpower Agency	-.0663
			Ascend Agency	.0585
			Golden Lights	.7926
			Kanya Services	.3305
			Total	.1844
99	14	Sunshine	Ascend Agency	.9435
			Total	.9435
5	206	Suntec Agency		-.5835
			Aura Employment Agency	-.0657
			Find Staff Placement	-.1526
			Sunlight Manpower	-.0496
			Top Maids Agency	.0565
			Total	-.3348
42	128	T.C. Company International		-.0363
			Jensen Manpower International	-.0763
			SBEE International	.2229

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Total	.0367
18	187	T&H Agency		-.7353
			Inter Globe Employment	.2125
			James International Agency	-.3388
			Mariz Employment Agency	-.0370
			Total	-.2124
11	192	Tailor Maid Consultants Company Ltd.		-.4639
			Jensen Manpower International	-.1526
			Total	-.2416
2	185	Technic Agency		-.1696
			Active Works Employment Agency	-.0600
			Ascend Agency	-.1383
			Brent	-.4325
			Emerald Manpower Recruitment Agency	-.3048
			Ermita Agency	-.2368
			John Maurice International	-.2059
			King's Manpower Agency	-.2121
			Luzvimin Agency	.1837
			Manpower International	-.4893
			Top Maids Agency	-.2053
			Total	-.1997
99	113	Tee Agency	D.A. Rodrigo International	.0781
			Total	.0781
99	105	Teh Employment	Mariz Employment Agency	.1278
			Total	.1278
99	107	TGH Placement Company	Inter Globe Employment	.1097
			Total	.1097
99	188	TH Employment	Nuariz Agency	-.2150
			Total	-.2150
99	52	THN Employment	Nuariz Agency	.4945
			Total	.4945
60	23	TNH Agency	Mariz Employment Agency	.5479
			Placowell Int'l Agency	1.1211
			Total	.8345
99	89	Todi		.1926
			Total	.1926
99	171	Top Aides	Bright Star Agency	-.1408
			Total	-.1408
4	129	Top Maid Employment Agency		.2143
			God's Will Placement Agency	.2929
			Polymaids Employment Agency	-.5796
			Stars	-.3806
			STD Manpower Services	-.1319
			Top Maids Agency	1.0888
			Total	.0304
18	84	Top Services	Altima Manpower Agency	.2496
			God's Will Placement Agency	.0940
			Pilipinas McLain Employment Agency	.6389

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
			Staffline Agency	.1413
			Total	.2186
60	215	Trends International	Manpower International	-.4011
			Trends International	-.3460
			Total	-.3735
60	169	Triumph Line	Great I Agency	-.1323
			Total	-.1323
99	31	Trustee Emp.	Anifel Management Employment Agency	.7241
			Total	.7241
99	22	Tsun Wan	James International Agency	.8384
			Total	.8384
99	33	Unique Recruitment Agency	Emerald Manpower Recruitment Agency	.7007
			Total	.7007
99	38	Unlimited	God's Will Placement Agency	.6359
			Total	.6359
99	132	Upgrade Agency		.0005
			Total	.0005
60	100	Wai Fu Agency	Aims Agency	.1546
			Total	.1546
99	145	Waikiki	EMS Agency	-.0428
			Total	-.0428
99	235	Wanjo Agency	Galcent Agency	-.5564
			Total	-.5564
11	134	Wellcome Employment Centre Ltd.		-.2209
			Wellcome Employment	.0827
			Total	-.0041
26	27	Wellmark Employment Services Consultants	ABC Manpower Services	.6093
			Altima Manpower Agency	1.4165
			Total	.8111
60	159	Welmer's Employment Agency	ABC Manpower Services	-.1006
			Total	-.1006
99	204	West Lake Manpower Agency	Forever Agency	-.3246
			Total	-.3246
60	232	WF Emp.	France Asia Agency	-.5337
			Total	-.5337
99	32	Winna Employment Agency	Bright Star Agency	.7059
			Total	.7059
99	21	Wintip Employment Services	Asian International Manpower Services	.8401
			Total	.8401
99	36	Word Wide Employment		.6437
			Total	.6437
26	117	Yatka Agency	Gold & Green Agency	-.3008
			Hongkong Fil International Services	.2567
			James International Agency	.0408
			Total	.0633
42	92	Ying Nam Agency		.4665
			Dalzen Employment Agency	.0385
			Total	.1812

A	B	C	D	E
Usage Rank	Index rank	Agency in Hong Kong	Corresponding agencies in the Philippines used by respondents	Final z-scores (bad practice/violations)
60	223	Yip Sing	Chance Team	-.4333
			Total	-.4333
60	24	Your Maid	SBEE International	.8241
			Total	.8241
99	56	Yuk Fai	MY International Agency	.4573
			Total	.4573

APPENDIX H-2

TRANSBORDER PATTERN: AGENCY IN THE PHILIPPINES USED BY RESPONDENTS AND THE CORRESPONDING AGENCIES THEY USED IN HONG KONG

(All Agencies in the Philippines; Alphabetical Listing)

Notes:

*Complete listing of agencies in the Philippines (in alphabetical order)

* "Corresponding agency used by respondents" does not necessarily mean that the agencies in HK and the Philippines work together or that they have formal/legal partnership.

*Index Rank #1 = worst practices/violations

*Usage Rank #1 = most frequently used agency

*Column D: Blank means that the DW only used the agency in the Philippines, but no corresponding agency in HK.

*Column D: "Total" means the overall z-score of the agency in the Philippines, which includes the effects of being linked to the z-scores of all corresponding agencies in Hong Kong. This total/final z-score is equal to the "overall z-score" of the Philippine agency shown in Appendix F.

*Column E: Shows the final z-score (all categories of bad practices/violations) of each corresponding agency in Hong Kong (in so far as they are linked to the same primary agency in the Philippines). If the z-score of the corresponding agency is positive (i.e. above average; meaning the practices/violations are worse), then this also increases the overall z-score of the primary agency in the Philippines. If the corresponding agency has a bad z-score, this worsens the overall z-score (and index rank) of the primary agency. Conversely, if the corresponding agency practices are good, this also improves the overall z-score/rank of the primary agency.

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
66	105	7 Oceans Employment Agency	Overseas Employment Agency	.0046
			Total	.0046
66	169	AAA Agency		-.6584
			Overseas Employment Agency	-.1751
			Total	-.4168
9	54	ABC Manpower Services		-.0216
			D&H Employment Agency	1.1264
			David Chung	1.1581
			Goodrich Agency	-.3246
			Passen Agency	-.0513
			Wellmark Employment Services Consultants	.5595
			Welmer's Employment Agency	-.1749
			Total	.2904
29	93	Active Works Employment Agency		.0172

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Sincere Agency	.0759
			Technic Agency	.0693
			Total	.0639
29	84	Adana Employment Agency		.1643
			Anlida Employment Agency	.5211
			Bright International Employment	-.1592
			Total	.1215
15	87	Aims Agency	Citi Maids	1.8376
			Hundred Years Employment Agency	-.1799
			Ms. Ma Agency	-.1380
			Once Employment	.0009
			Once Employment	-.2289
			Wai Fu Agency	-.0114
			Total	.0901
18	135	Alcare Manpower Agency		-.3259
			AAA Emp.	-.1127
			Overseas Employment Agency	-.1083
			Sunlight Employment Agency	-.4483
			Total	-.1786
90	59	Alice		.2726
			Total	.2726
2	159	All-Pro Staffing		.3095
			Emry's Employment Agency	-.3990
			Total	-.3157
90	67	Allied Agency	Carrying Employment	.2377
			Total	.2377
6	40	Altima Manpower Agency	ABNC Emp.	.4181
			Altima Agency	.7074
			Apec Agency	.6530
			D&H Employment Agency	.7914
			Deng Hu	.5633
			Mass Trinity	-.2020
			Passen Agency	-.2702
			Smart Helper Agency	.5123
			Top Services	.2452
			Wellmark Employment Services Consultants	1.4688
			Total	.4392
66	24	Andrene	Hong Thai Agency	.8360
			JC Casa Employment Agency	.2763
			Total	.5561
10	158	Angelex Allied Agency		-.3177
			Faith Agency	.3137
			Good Link Consultant	-.5076
			Newaygo	-.4849
			PBI Employment Agency	-.2511
			Professional Agency	-.6742
			Total	-.2926
29	61	Angelica Agency	Carieg Agency	.5400

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Kaishing Agency	.2170
			KNP Agency	.1229
			PBI Employment Agency	.3180
			Total	.2563
50	29	Anifel Management Employment Agency		.8641
			Further Creation Employment Agency	-.0714
			Trustee Emp.	.7925
			Total	.5284
90	117	Anpro Manpower	Emry's Employment Agency	-.0484
			Total	-.0484
90	92	Anra Employment	JC Casa Employment Agency	.0683
			Total	.0683
90	148	Aquagen Agency	Chin House Agency	-.2433
			Total	-.2433
1	107	Ascend Agency		-.1210
			Baguio Employment Agency	-.1950
			Coldroy Agency	.2216
			Gold Roy Agency	.5433
			Happy Agency	-.2433
			Helpful Agency	-.1645
			Madam Jo International	.3519
			Pak Yue Agency	-.1480
			Sonmass	.1555
			Sunlight Employment Agency	-.0280
			Sunshine	.7970
			Technic Agency	-.0399
			Total	-.0070
90	179	Asia One		-.6151
			Total	-.6151
66	56	Asian International Manpower Services	Once Employment	-.2275
			Wintip Employment Services	.7976
			Total	.2850
50	72	Aura Employment Agency		.7449
			Overseas Employment Agency	-.1906
			Suntec Agency	.0295
			Total	.1946
50	25	Baguio Benguet International Agency	A&E Employment Agency	.5496
			Total	.5496
90	172	Baguio International	Megasea	-.4594
			Total	-.4594
90	45	Baguio Investment		.4054
			Total	.4054
90	101	BBA Agency	A&E Employment Agency	.0210
			Total	.0210
90	71	Best Well		.2002
			Total	.2002
90	128	Boom Town		-.1194
			Total	-.1194

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
66	177	Brent	Technic Agency	-.5538
			Total	-.5538
34	97	Bright Star Agency	Aim World	-.1871
			Asia Top Agency	.1806
			Top Aides	-.2693
			Winna Employment Agency	.6412
			Total	.0357
90	12	Cagarfod Agency	Ivy's Agency	.9144
			Total	.9144
29	173	Chance Team	Hosana Agency	-.4909
			Yip Sing	-.5320
			Total	-.5046
66	82	Cobo Employment Agency		1.0861
			Emry's Employment Agency	-.8183
			Total	.1339
15	65	Concord International Services		-.0133
			Glory International	.7268
			Sun Yuet	.7858
			Total	.2465
90	182	CPM Manpower		-.6273
			Total	-.6273
44	60	D.A. Rodrigo International		-.3012
			Everybody Employment	.6814
			Laguna Agency	.4139
			Tee Agency	.2386
			Total	.2581
90	154	D&H Employment	Asian Charm	-.2619
			Total	-.2619
29	102	Dalzen Employment Agency		-.3071
			Cobo Employment Agency	.9513
			Homes Employment	-.1096
			Ying Nam Agency	-.0588
			Total	.0183
90	186	Del Agency	Maxbetter	-.6892
			Total	-.6892
34	114	Desert Wealth		.0125
			Berskley Agency	-.2486
			Pacific Agency	.0227
			Total	-.0377
66	73	Dolma Employment	Fine Ocean	.0203
			Ocean Fine	.3357
			Total	.1780
50	127	DSI International		-.0296
			Premiere Nannies Employment Agency	-.1556
			Total	-.1136
34	98	Emerald Manpower Recruitment Agency		-.2135
			Technic Agency	-.1782
			Unique Recruitment Agency	.8943

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Total	.0293
66	23	EMR	Access Employment	1.3835
			Laguna Agency	-.1788
			Total	.6024
26	163	Emry's Agency		-.2230
			Emry's Employment Agency	-.4970
			Marco Agency	-.0611
			Total	-.3564
90	134	EMS Agency	Waikiki	-.1781
			Total	-.1781
90	156	Ermita Agency	Technic Agency	-.2828
			Total	-.2828
90	9	Ernest Agency		.9529
			Total	.9529
50	39	Eugene International Services		.9894
			Francis So & Co.	.1687
			Total	.4423
90	185	Excellent		-.6846
			Total	-.6846
90	148	Eye Quest	Haceda	-.2433
			Total	-.2433
90	28	Far East International	Overseas Employment Agency	.5309
			Total	.5309
6	124	Find Staff Placement		.3083
			Asia World	-.3259
			Chen-chen	.4980
			Ka Wao Consultants	-.0774
			National Human Resources	-.6224
			Pacific Garden	-.6812
			Suntec Agency	-.2216
			Total	-.0855
90	148	FLB Employment Agency	FLB Employment Agency	-.2433
			Total	-.2433
90	142	Forever Agency	West Lake Manpower Agency	-.2020
			Total	-.2020
18	83	France Asia Agency		.3745
			Advance Agency	.4409
			Allwin Agency	-.0076
			Premiere Nannies Employment Agency	.5929
			WF Employment	-.4912
			Total	.1254
90	62	Francisco Agency		.2521
			Total	.2521
90	166	Further Creation Agency		-.3777
			Total	-.3777
66	99	G Manpower		.0286
			Total	.0286
90	179	Galcent Agency	Wanjo Agency	-.6151

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Total	-.6151
10	63	Gammon International		.3827
			Gammon Agency	-.0057
			Hi-Cedar Agency	.2696
			Total	.2485
90	123	Global Agency		-.0805
			Total	-.0805
90	96	Global Filipinos	JN Employment	.0423
			Total	.0423
90	17	Global Medical Agency		.7547
			Total	.7547
66	88	Globus Agency	Homemaid	.0867
			Total	.0867
66	122	GM Agency		-.1075
			EM Agency	-.0106
			Total	-.0590
3	47	God's Will Placement Agency		.2196
			Assurance Services Company	-.1296
			Ben Employment Agency/Top Services Agency	1.0206
			Fancy	.5908
			Great Top Employment	.4144
			Nan Fung Agency	.1248
			Top Maid Employment Agency	.4738
			Top Services	.2180
			Unlimited	.8623
			Total	.3706
66	153	Gold & Green Agency	Image Employment	-.2727
			Yatka Agency	-.2308
			Total	-.2517
90	14	Golden Lights	Sunlight Employment Agency	.8609
			Total	.8609
90	143	Goldwin	Image Employment	-.2135
			Total	-.2135
50	80	Good Day Agency		1.2405
			Success Agency	-.3935
			Total	.1511
90	2	Good Speed	JC Casa Employment Agency	1.3707
			Total	1.3707
90	190	Goodwill Employment Agency		-1.9080
			Total	-1.9080
66	147	Great I Agency	Triumph Line	-.2330
			Total	-.2330
18	26	Green World Placement		.3355
			Sia	-.0844
			Sincere Agency	.6801
			Total	.5415
34	77	Greenfield Agency		.0461

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Access Employment	1.4107
			Blue Sky	-.4608
			Comfort Agency	-.1194
			Emry's Employment Agency	-.0212
			Total	.1711
90	167	Happy Family	Asian Charm	-.4034
			Total	-.4034
50	75	Hi-Cedar		-.1194
			Eye Quest	.3232
			Total	.1756
34	55	Hongkong Fil International Services		.6958
			Blessings Employment Agency	.1764
			Yatka Agency	.1901
			Total	.2857
90	94	Honor Deployment Agency		.0523
			Total	.0523
66	6	Hopewell Agency	Gold Roy Agency	1.2512
			Kung Wa Agency	1.0451
			Total	1.1481
90	43	Hossana		.4183
			Total	.4183
90	160	HTD Employment	Maid Helper Agency	-.3239
			Total	-.3239
34	70	Humania International	Cris Beanne	.0428
			First Emp. Agency	.0410
			Humania International	.5883
			Pacific Garden	.3326
			Total	.2095
90	11	Indo-Pinoy	Altima Agency	.9193
			Total	.9193
90	4	Infinity	Pacific Agency	1.2081
			Total	1.2081
44	85	Inter Globe Employment		.1635
			Fabulous	-.1873
			T&H Agency	.2895
			TGH Placement Company	.1904
			Total	.1140
90	3	International Agency	Reliable Agency	1.3480
			Total	1.3480
90	155	Interworld Placement Agency	Emry's Employment Agency	-.2678
			Total	-.2678
90	171	Ira (Singapore)	Lekson Agency	-.4498
			Total	-.4498
44	121	J Mac	Asia One	-.2677
			Employment Paradise	.8381
			Paradise	-.5325
			Total	-.0575
90	140	J&L Agency	Emry's Employment Agency	-.1886

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Total	-.1886
6	125	James International Agency	Aura Employment Agency	-.2349
			Honor Club Agency	-.6567
			Madam Jo International	.4420
			T&H Agency	-.3272
			Tsun Wan	1.0357
			Yatka Agency	.1778
			Total	-.0887
66	44	Jao Agency	Agency Royal	.8820
			Grand Royale Employment Agency	-.0672
			Total	.4074
15	91	Jedegal Manpower Services		.5067
			A&E Employment Agency	.0816
			B&A Agency	.5169
			Log On	-.4919
			Main Top Investment	.0305
			Mission Employment Agency	.5206
			Premiere Nannies Employment Agency	-.3801
			Resources Agency	-.2334
			Total	.0703
26	137	Jensen Manpower International	Success Agency	-.4594
			T.C. Company International	-.1585
			Tailor Maid Consultants Company Ltd.	-.1308
			Total	-.1817
66	130	JIP International Services	Aura Employment Agency	.0839
			Philstar Employment & General Services	-.3680
			Total	-.1420
90	132	JM Agency	Good Family Employment Agency	-.1643
			Total	-.1643
90	178	JMC		-.5738
			Total	-.5738
90	165	JMI Agency	Further Creation Employment Agency	-.3767
			Total	-.3767
34	151	John Maurice International	Technic Agency	-.2459
			Total	-.2459
90	113	JPI (Ermita, Manila)	Baguio Employment Agency	-.0310
			Total	-.0310
66	164	Kally Agency		-.1028
			Kally Agency	-.6391
			Total	-.3710
90	51	Kanya Services	Sunlight Employment Agency	.3219
			Total	.3219
10	89	King's Manpower Agency	PBI Employment Agency	1.1207
			Technic Agency	-.0356
			Total	.0801
66	109	KNB Agency	Emry's Employment Agency	-.0194
			Total	-.0194
90	69	Ledman Employment		.2202

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Total	.2202
90	5	Light & Hope Agency	Premiere Nannies Employment Agency	1.1642
			Total	1.1642
90	133	Love Manpower		-.1709
			Total	-.1709
50	42	Luzvimin Agency	Technic Agency	.4261
			Total	.4261
90	41	Manpower Forever	Guru Employment	.4315
			Total	.4315
44	126	Manpower International	Reliable Agency	.7876
			Technic Agency	-.4858
			Trends International	-.2363
			Total	-.1051
90	129	Manwor Agency		-.1238
			Total	-.1238
90	30	Mariposa		.4952
			Total	.4952
10	90	Mariz Employment Agency	Elise	-.3709
			Irise Consultant	.5399
			Lotus Agency	.0271
			T&H Agency	-.0833
			Teh Employment	-.0258
			TNH Agency	.6414
			Total	.0726
90	187	Mark Agency	Asia Top Agency	-.8217
			Total	-.8217
90	31	Marvel Agency		.4905
			Total	.4905
90	183	Max International Placement Inc.	Millennium Agency	-.6564
			Total	-.6564
90	37	Mayon Agency		.4485
			Total	.4485
90	167	MD Manpower Agency	Desert Wealth	-.4034
			Total	-.4034
66	145	Michael Angelo Manpower Exponent Inc.	Good Hands Employment Agency	-.2158
			Total	-.2158
90	53	MIP	Pacific Garden	.3041
			Total	.3041
90	188	Mitch	Sincere Agency	-.8341
			Total	-.8341
90	179	MITs Agency	Amaneth Agency	-.6151
			Total	-.6151
90	50	Morty Agency	Splendid	.3327
			Total	.3327
66	66	Mothers Way Employment	Get Maid Employment Agency	.2433
			Total	.2433
50	58	MRH Employment		-.0053
			Arrow Emp.	.4175

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Total	.2766
18	110	MY International Agency		.5499
			Emry's Employment Agency	-.5790
			Yuk Fai	.5072
			Total	-.0199
18	86	Novation Resource Agency	KNB Employment	.1393
			Smart Metro	-.2041
			Total	.0964
34	111	Nuariz Agency	Lekson Agency	.4183
			Smart Team	-.2822
			TH Employment	-.2355
			THN Employment	.2731
			Total	-.0217
90	68	Ocean Fine Employment	Delnus Employment Agency	.2326
			Total	.2326
90	10	OFW Employment Agency	Family Care	.9245
			Total	.9245
90	22	Ohilac Agency		.6326
			Total	.6326
90	36	OLM	Prime Services	.4558
			Total	.4558
44	144	Overseas Manpower Services		-.1899
			Overseas Employment Agency	-.2881
			Total	-.2144
44	49	P&R Manpower Agency Inc.	Emry's Employment Agency	.9268
			Goodrich Agency	.2244
			Star Care Agency	.1284
			Total	.3520
90	100	Paris Agency	Smart Team	.0223
			Total	.0223
90	16	Perfect Agency		.8514
			Total	.8514
18	64	Philac Agency		-.1630
			C&K Agency	-.0780
			Hongkong Fil Agency	1.2277
			Overseas Employment Agency	.1974
			Total	.2467
90	1	Philippine Integrated	Overseas Employment Agency	2.0663
			Total	2.0663
50	34	Pilipinas McLain Employment Agency		.4014
			Top Services	.6008
			Total	.4679
90	19	Pioneer Manpower	Jet Pacific	.7255
			Total	.7255
66	48	Placewell Int'l Agency		-.2150
			TNH Agency	.9238
			Total	.3544
34	20	PNR Manpower Agency		-.2020

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
			Good Maid	.2410
			Goodrich Agency	.5601
			Grand Asia Placement	2.3260
			Total	.6970
90	183	Polymaids Employment Agency	Top Maid Employment Agency	-.6564
			Total	-.6564
90	32	Prima	Good Hands Employment Agency	.4857
			Total	.4857
90	161	Primary Agency	Ansin Employment	-.3246
			Total	-.3246
90	120	Reliable Recruitment Agency	H&C Employment	-.0564
			Total	-.0564
90	108	Right Man		-.0172
			Total	-.0172
90	103	RMES-Welcome	Golden Peak Employment Agency	.0132
			Total	.0132
90	157	Royal Agency	McLin Agency	-.2846
			Total	-.2846
50	146	RV Tria Agency	Ivy's Agency	-.3818
			Mrs. Lim	-.5419
			RV Tria Agency	.2595
			Total	-.2214
90	38	RYT Agency	Ivy's Agency	.4447
			Total	.4447
90	13	S Line	CNC	.8705
			Total	.8705
90	138	SA Employment Agency	Further Creation Employment Agency	-.1828
			Total	-.1828
50	115	Sacred Heart International Services		-.1690
			Pacific Jet Consultants	.0264
			Total	-.0387
50	27	SBEE International	T.C. Company International	.0399
			Your Maid	.7791
			Total	.5327
90	7	September Star Agency		1.0755
			Total	1.0755
90	138	SIA Employment Agency	Further Creation Employment Agency	-.1828
			Total	-.1828
90	141	Silktop	Golden Peak Employment Agency	-.1897
			Total	-.1897
66	52	Sincere Agency		.5102
			Hi-Cedar Agency	.1080
			Total	.3091
90	106	Singkong Int'l	City Employment	.0012
			Total	.0012
34	131	SK Manpower Services		-.1457
			HKI Agency	-.1514
			Total	-.1503

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
3	46	Skytop Services Contractors Inc.		.5173
			Bestnel Employment Agency	-.2433
			Bestwell Agency	.3549
			C&C Emp.	1.2163
			Golden Peak Employment Agency	-.0368
			Total	.3744
18	74	Speed Employment Agency		.5698
			J&A Employment	.4689
			JC Casa Employment Agency	-.1905
			JN Employment	.7452
			Lekson Agency	.3919
			Total	.1767
50	18	Staffline Agency	CNC	.9647
			Top Services	.2821
			Total	.7371
90	33	Starborne International	Shun Yuet Service Centre	.4693
			Total	.4693
90	170	Stars	Top Maid Employment Agency	-.4432
			Total	-.4432
5	119	STD Manpower Services		-.0102
			Mrs. Chaw Agency	.0081
			STD Agency	.3424
			Top Maid Employment Agency	-.1278
			Total	-.0541
90	78	Steady Agency		.1702
			Total	.1702
90	81	Sunlight Manpower	Suntec Agency	.1451
			Total	.1451
90	118	Suntec		-.0500
			Total	-.0500
90	21	TC Nediro	Northern Left Care	.6415
			Total	.6415
66	162	TD Agency	Emry's Employment Agency	-.3320
			Total	-.3320
90	152	TDH Manpower	Emry's Employment Agency	-.2490
			Total	-.2490
90	8	Technic		.9618
			Total	.9618
90	136	THD Employment		-.1804
			Total	-.1804
26	76	Top Maids Agency		.9829
			[not specified / can't remember]	-.0434
			Rejoice Employment Agency	-.3259
			Suntec Agency	-.0146
			Technic Agency	-.2169
			Top Maid Employment Agency	1.0413
			Total	.1723

A	B	C	D	E
Usage Rank	Index rank	Agency in the Philippines	Corresponding agencies in Hong Kong used by respondents	Final z-scores (bad practice/violations)
90	189	Transkills Agency	Hongkong Fil Agency	-.8547
			Total	-.8547
50	104	Trends International	Get Maid Employment Agency	.1091
			Trends International	-.1811
			Total	.0124
90	116	United Talents Employment	MY International Manpower	-.0404
			Total	-.0404
10	95	Visayan Consolidated Agency		.1349
			Finest Agency	-.5658
			Further Creation Employment Agency	-.0175
			Gracious	-.1804
			Precious Agency	.7752
			Total	.0516
90	174	Well Skilled Agency		-.5325
			Total	-.5325
18	112	Wellcome Employment		.0112
			Wellcome Employment Centre Ltd	-.0471
			Total	-.0252
90	174	Welmark Agency		-.5325
			Total	-.5325
90	15	Winsky	Prosperous Agency	.8606
			Total	.8606
90	35	World view	A&E Employment Agency	.4590
			Total	.4590
90	174	Yatka		-.5325
			Total	-.5325
66	79	Zemar Agency	Everlasting	.4894
			Happy Maid	-.1676
			Total	.1609
50	57	Zontar Agency		.2343
			Island West Agency	.3618
			Total	.2768

APPENDIX I

INTERNATIONAL HUMAN RIGHTS INSTRUMENTS OF THE UNITED NATIONS & INTERNATIONAL LABOR ORGANIZATION THAT ARE APPLICABLE TO HONG KONG & THE PHILIPPINES

Source: ILO Normlex, ---; accessed 15 April 2013

International human rights treaties are multilateral conventions and protocols of the United Nations (UN) and International Labour Organization (ILO) that set legally-binding international standards for human and labor rights, including for migrants and domestic workers.¹

To date, the UN and ILO have the following treaty collections:²

- Total number of UN treaties: 507
Of which: UN core conventions: 9
- Total number of ILO conventions: 189 Of which: ILO fundamental instruments: 8 (as declared by ILO Governing Body in 2007)
- Total number of UN and ILO treaties: 696

Advocates³ have determined that of the 696 UN and ILO treaties:

- Treaties relevant to migrants and mobile populations (refugees, trafficked, etc.): 69 (15 UN conventions + 13 UN protocols + 41 ILO conventions)
- Treaties in the "Migrants' Bill of Rights" (MBR) of MFA: 22 (5 UN conventions + 6 UN protocols + 11 ILO conventions)
- Treaties related to recruitment and operation of private employment agencies: 11 (2 UN conventions + 1 UN protocol + 8 ILO conventions)

The four tables below list these 69 treaties, and their applicability to Hong Kong or the Philippines. The dates of ratification or notification (in the case of Hong Kong) are shown in bold if the treaty is applicable to Hong Kong or the Philippines. The UN/ILO treaties included in the MFA "Migrants' Bill of Rights" are marked with "[MBR]". Treaties related to recruitment and private employment agencies are marked with "[RECRU]", and are highlighted in green in the tables below.

A. UN Core Conventions & Protocols

UN Core Conventions & Protocols	UN Treaty Body	China - Hong Kong SAR	Philippines
1. International Covenant on Civil and Political Rights (ICCPR, 1966); entry into force 23 Mar 1976. [MBR]	Human Rights Committee (CCPR)	*ICCPR signed by China: 5 Oct 1998; *ICCPR applies to HK, as notified by China to UN.	*Ratified: 23 Oct 1986
2. ICCPR Optional Protocol (1966); entry into force 23 Mar 1976. [MBR]	CCPR	*2 OPs do not apply to HK (not signed or ratified by China; UK party to OP2 but did not notify applicability to HK)	*Ratified: 22 Aug 1989
3. ICCPR 2nd Optional Protocol (1989); entry into force 11 Jul 1991. [MBR]	CCPR	*2 OPs do not apply to HK (not signed or ratified by China; UK party to OP2 but did not notify applicability to HK)	*Ratified: 20 Nov 2007
4. International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966); entry into force 3 Jan 1976. [MBR]	Committee on Economic, Social and Cultural Rights (CESCR)	*ICESCR ratified by China: 27 Mar 2001; *ICESCR applies to HK, with reservations made by China.	*Ratified: 7 June 1974
5. ICESCR Optional Protocol (2008) - entry into force 5 May 2013. [MBR]	CESCR	*OP does not apply to HK (not signed or ratified by China)	*Not signed or ratified
6. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1966); entry into force 4 Jan 1969 [MBR]		*Acceded to by China: 29 Dec 1981; with reservation *Applies to HK as notified by China and the UK on 10 June 1997; reservation by China applies to HK.	*Ratified: 15 Sep 1967

¹ In addition to binding treaties, they also produce non-binding, normative instruments. Some of the most relevant are: CEDAW General Recommendation #26 on women migrants (2008); CMW General Comment #1 on migrant domestic workers (3 Dec 2010); ILO Multilateral Framework on Labour Migration (2006); ILO Declaration on Fundamental Principles and Rights at Work (1998).

² UN Treaty Collection, introduction section (http://treaties.un.org/Pages/DB.aspx?path=DB/MTDSGStatus/pageIntro_en.xml), last accessed 25 July 2013.

³ Migrant Forum in Asia (MFA), the biggest network of migrant organizations, trade unions and advocates in Asia.

UN/ILO treaties that establish landmark or benchmark rights or standards (i.e. strongest protection) for migrants and their families are considered by MFA as part of the "Migrants' Bill of Rights" (MBR).

UN Core Conventions & Protocols	UN Treaty Body	China - Hong Kong SAR	Philippines
7. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979); entry into force 3 Sep 1981. [MBR] [RECRU] *CEDAW General Recommendation No. 26 on Women Migrant Workers (GR#26, 2008) - non-binding	Committee on the Elimination of Discrimination against Women (CEDAW)	*CEDAW ratified by China: 4 Nov 1980; *CEDAW applies to HK, with reservations made by China on behalf of HK.	*Ratified: 5 Aug 1981
8. CEDAW Optional Protocol (1999) - entry into force 22 Dec 2000. [MBR]	CEDAW	*OP does not apply to HK (China not signed or ratified)	*Ratified: 12 Nov 2003
9. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984); entry into force 26 Jun 1987	*Committee against Torture (CAT) *Subcommittee on Prevention of Torture (SPT)	*Ratified by China: 4 Oct 1988; *CAT applies to HK, with reservations made by China.	*Acceded: 18 June 1986
10. CAT Optional Protocol (2002) - entry into force 22 June 2006.	CAT, SPT	*OP does not apply to HK (not signed or ratified by China)	*Acceded: 17 Apr 2012
11. Convention on the Rights of the Child (CRC, 1989); entry into force 2 Sep 1990	Committee on the Rights of the Child (CRC)	*CRC ratified by China: 2 Mar 1992; *CRC applies to HK, with reservations made by China on behalf of HK.	*Ratified: 21 Aug 1990
12. CRC Optional Protocol on Children in Armed Conflict (OP AC, 2000) - entry into force 12 Feb 2002	CRC	*OPAC ratified by China: 20 Feb 2008; applies to HK.	*Ratified: 26 Aug 2003
13. CRC Optional Protocol on Sale of Children, Child Prostitution and Child Pornography (OP SC, 2000) - entry into force 18 Jan 2002	CRC	*OPSC ratified by China: 3 Dec 2002; applies to Macau; but does not apply to HK until further notice by China to the UN	*Ratified: 28 May 2002
14. CRC Optional Protocol on a communications procedure (2011) - not yet in force.	CRC	-	-
15. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC, 1990); entry into force 1 Jul 2003. [MBR] [RECRU] *General Comment No. 1 on Migrant Domestic Workers (GC#1, 2010) -non-binding	Committee on Migrant Workers (CMW)	*Not signed or ratified by China; *Does not apply to HK	*Ratified: 5 Jul 1995
16. Convention on the Rights of Persons with Disabilities (CRPD, 2006); entry into force 3 May 2008	Committee on the Rights of Persons with Disabilities (CRPD)	*Ratified by China: 1 Aug 2008; *CRPD applies to HK, as notified by China to the UN.	*Ratified: 15 Apr 2008
17. CRPD Optional Protocol (2006) - entry into force 3 May 2008.	CRPD	*Does not apply to HK (not signed or ratified by China)	*Not signed or ratified
18. International Convention for the Protection of All Persons from Enforced Disappearance (CPPED, 2006); entry into force 23 Dec 2010	Committee on Enforced Disappearances (CED)	*Not signed or ratified by China; *Does not apply to HK	*Not signed or ratified
TOTAL RATIFIED/SIGNED/APPLICABLE (UN CORE CONVENTIONS & PROTOCOLS)		8 of 18 (44%)	14 of 18 (78%)

B. Other UN Treaties Relevant to Migrants

Other Relevant UN Treaties	China - Hong Kong SAR	Philippines
1. Slavery Convention (1926); amended 1953; entry into force (amended) 7 Jul 1955	*Applies to HK; notified by China 10 Jun 1999; *Not signed/ratified by China.	*Ratified: 12 Jul 1955
2. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956); entry into force 30 Apr 1957	*Applies to HK; notified by China 10 Jun 1999; *Not signed/ratified by China.	*Ratified: 17 Nov 1964

Other Relevant UN Treaties	China - Hong Kong SAR	Philippines
3. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1950); entry into force 25 Jul 1951	*Does not apply to HK *Convention and protocol not signed or ratified by China or UK.	*Convention and protocol: ratified 19 Sep 1952
4. Convention for the Suppression of the Traffic in Persons - Final Protocol (1950); entry into force 25 Jul 1951.	*Does not apply to HK *Convention and protocol not signed or ratified by China or UK.	*Convention and protocol: ratified 19 Sep 1952
5. Convention against Transnational Organized Crime (CATOC, 2000); entry into force 29 Sep 2003.	*CATOC: ratified by China, 23 Sep 2003; applies to HK; notified by China 27 Sep 2006.	*CATOC: ratified 28 May 2002
6. CATOC Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (CATOC PT, 2000; aka Palermo Protocol); entry into force 25 Dec 2003 [MBR] [RECRU]	*CATOC PT: acceded by China, 8 Feb 2010; but does NOT apply to HK as notified by China to the UN, 8 Feb 2010.	*CATOC PT: ratified 28 May 2002.
7. CATOC Optional Protocol against the Smuggling of Migrants by Land, Sea and Air (CATOC PS, 2000); entry into force 28 Jan 2004. [MBR]	*CATOC PS: not signed or ratified by China; does not apply to HK	*CATOC PS: ratified 28 May 2002
8. Convention relating to the Status of Refugees (1951); entry into force 22 Apr 1954	*Does not apply to HK; *Ratified by the UK (11 Mar 1954) and China (24 Sep 1982) but no notification on applicability to HK.	*Convention and protocol ratified: 22 Jul 1981
9. Protocol relating to the Status of Refugees (1967); entry into force 4 Oct 1967	*Does not apply to HK; *Protocol ratified by the UK (4 Sep 1968) and China (24 Sep 1982) but no notification on applicability to HK	*Convention and protocol ratified: 22 Jul 1981
10. Convention relating to the Status of Stateless Persons (1954); entry into force 6 Jun 1960	*Applies to HK; notified by China 10 Jun 1997; *Not signed or ratified by China.	*Ratified: 22 Sep 2011
TOTAL RATIFIED/SIGNED/APPLICABLE (OTHER UN TREATIES RELEVANT TO MIGRANTS)	4 of 10 (40%)	10 of 10 (100%)

C. ILO Fundamental Conventions

Notes:

*Of the 189 ILO conventions, 8 are classified as fundamental, 4 as governance (priority) conventions, and the remaining 177 as technical conventions. Only technical and governance conventions relevant to migrants are listed below.

*ILO conventions go directly through ratification (no "signature" phase like UN conventions).

ILO Fundamental Conventions	China - Hong Kong SAR	Philippines
1. C029 - Forced Labour Convention, 1930 (entry into force: 1 May 1932). [MBR]	*Applies to HK, as notified by China to ILO, 1 Jul 1997; in force; *Not ratified by China; ratified by UK, 3 Jun 1931.	*Ratified: 15 Jul 2005; in force.
2. C105 – Abolition of Forced Labour Convention, 1957 (entry into force: 17 Jan 1959). [MBR]	*Applies to HK, as notified by China to ILO, 1 Jul 1997; in force; *Not ratified by China; ratified by UK, 30 Dec 1957.	*Ratified: 17 Nov 1960; in force.
3. C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (entry into force: 4 Jul 1950). [MBR]	*Applies to HK, as notified by China to ILO, 1 Jul 1997; in force; *Not ratified by China; ratified by UK, 27 Jun 1949.	*Ratified: 29 Dec 1953; in force.
4. C098 - Right to Organise and Collective Bargaining Convention, 1949 (entry into force: 18 Jul 1951). [MBR]	*Applies to HK, as notified by China to ILO, 1 Jul 1997; in force; *Not ratified by China; ratified by UK, 30 Jun 1950.	*Ratified: 29 Dec 1953; in force.
5. C100 - Equal Remuneration Convention, 1951 (entry into force: 23 May 1953)	*Does not apply to HK; *Ratified by China, 2 Nov 1990; ratified by UK, 15 Jun 1971; but no notification from UK (pre-1997) or China on application to HK.	*Ratified: 29 Dec 1953; in force.
6. C111 - Discrimination (Employment and Occupation) Convention, 1958 (entry into force: 15 Jun 1960)	*Does not apply to HK, as notified by China to ILO, 12 Jan 2006; *Ratified by China, 12 Jan 2006.	*Ratified: 17 Nov 1960; in force.

ILO Fundamental Conventions	China - Hong Kong SAR	Philippines
7. C138 - Minimum Age Convention, 1973 (entry into force: 19 Jun 1976)	*Applies to HK, as notified by China to ILO, 28 Apr 1999 (minimum age specified: 15 years); in force; *Ratified by China, 28 Apr 1999.	*Ratified: 4 Jun 1998 (minimum age specified: 15 years); in force.
8. C182 - Worst Forms of Child Labour Convention, 1999 (entry into force: 19 Nov 2000)	*Applies to HK, as notified by China to ILO, 8 Aug 2002; in force; *Ratified by China, 8 Aug 2002.	*Ratified: 28 Nov 2000; in force.
TOTAL RATIFIED/APPLICABLE/IN FORCE (ILO FUNDAMENTAL CONVENTIONS)	6 of 8 (75%)	8 of 8 (100%)

D. Other ILO Conventions (Governance/Technical) Relevant to Migrant Workers

Relevant ILO Conventions (Technical / Governance)	Type and Status (ILO classification)	China - Hong Kong SAR	Philippines
1. C001 - Hours of Work (Industry) Convention, 1919 (entry into force: 13 Jun 1921)	*Technical convention; interim status.	*Does not apply to HK; *Not ratified by UK (pre-1997) or China.	*Not ratified
2. C002 - Unemployment Convention, 1919 (entry into force: 14 Jul 1921) [RECRU]	*Technical convention; interim status.	*Applies to HK; notified: 1 Jul 1997; in force; *Not ratified by China; ratified by UK, 14 Jul 1921.	*Not ratified
3. C003 - Maternity Protection Convention, 1919 (entry into force: 13 Jun 1921)	*Technical convention; interim status; *Revised by C103 (1952) and C183 (2000).	*Applies to HK; notified: 1 Jul 1997; in force; *Not ratified by China or UK.	*Not ratified
4. C014 - Weekly Rest (Industry) Convention, 1921 (entry into force: 19 Jun 1923)	*Technical convention; up-to-date;	*Applies to HK; notified: 1 Jul 1997; in force; *Ratified by China: 17 May 1934	*Not ratified
5. C019 - Equality of Treatment (Accident Compensation) Convention, 1925 (entry into force: 8 Sep 1926). [MBR]	*Technical convention; interim status.	*Applies to HK; notified: 1 Jul 1997; in force; *Ratified by China: 27 Apr 1934.	Ratified: 26 Apr 1994; in force
6. C026 - Minimum Wage-Fixing Machinery Convention, 1928 (entry into force: 14 Jun 1930)	*Technical convention; interim status.	*Does not apply; *Ratified by China: 5 May 1930; no notification on applicability to HK	*Not ratified
7. C081 - Labour Inspection Convention, 1947 (Entry into force: 7 Apr 1950)	*Governance/priority convention; up-to-date.	*Applies to HK; notified: 1 Jul 1997; in force; *Not ratified by China.	*Not ratified
8. C088 - Employment Service Convention, 1948 (entry into force: 10 Aug 1950) [RECRU]	*Technical convention; interim status.	*Does not apply; *Not ratified by China.	*Ratified: 29 Dec 1953; in force
9. C095 - Protection of Wages Convention, 1949 (Entry into force: 24 Sep 1952) [RECRU]	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Ratified: 29 Dec 1953; in force
10. C096 - Fee-Charging Employment Agencies Convention (Revised), 1949 (entry into force: 18 Jul 1951). [MBR] [RECRU]	*Technical convention; interim status; *Updates C34; revised by C181	*Does not apply; *Not ratified by China.	*Not ratified
11. C097 - Migration for Employment Convention (Revised), 1949 (entry into force: 22 Jan 1952). [MBR] [RECRU]	*Technical convention; up-to-date; *Revises C66.	*Applies to HK; notified: 1 Jul 1997; in force	*Ratified 21 Apr 2009; in force
12. C102 - Social Security (Minimum Standards) Convention, 1952 (Entry into force: 27 Apr 1955)	*Technical convention; up-to-date; *Updated by C157.	*Does not apply; *Not ratified by China.	*Not ratified

Relevant ILO Conventions (Technical / Governance)	Type and Status (ILO classification)	China - Hong Kong SAR	Philippines
13. C117 - Social Policy (Basic Aims and Standards) Convention, 1962 (Entry into force: 23 Apr 1964)	*Technical convention; interim status; *Revises C82.	*Does not apply; *Not ratified by China.	*Not ratified
14. C118 - Equality of Treatment (Social Security) Convention, 1962 (entry into force: 25 Apr 1964)	*Technical convention; up-to-date; *Updated by C157.	*Does not apply; *Not ratified by China.	*Ratified 26 Apr 1994; in force
15. C121 - Employment Injury Benefits Convention, 1964 (Entry into force: 28 Jul 1967)	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Not ratified
16. C122 - Employment Policy Convention, 1964 (Entry into force: 15 Jul 1966)	*Governance/ priority convention; up-to-date	*Applies to HK; notified 1 Jul 1997; in force; *Ratified by China: 17 Dec 1997; in force.	*Ratified: 13 Jan 1976; in force.
17. C131 - Minimum Wage Fixing Convention, 1970 (Entry into force: 29 Apr 1972)	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Not ratified
18. C132 - Holidays with Pay Convention (Revised), 1970 (Entry into force: 30 Jun 1973)	*Technical convention; interim status; *Revises C52; updates C101.	*Does not apply; *Not ratified by China.	*Not ratified
19. C135 - Workers' Representatives Convention, 1971 (Entry into force: 30 Jun 1973)	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Not ratified
20. C142 - Human Resources Development Convention, 1975 (Entry into force: 19 Jul 1977)	*Technical convention; up-to-date	*Applies to HK; notified 1 Jul 1997; in force; *Not ratified by China.	*Not ratified
21. C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (entry into force: 9 Dec 1978). [MBR] [RECRU]	*Technical convention; up-to-date; *Revises C21 (shelved), C66 (withdrawn).	*Does not apply; *Not ratified by China.	*Ratified: 14 Sep 2006; in force
22. C150 - Labour Administration Convention, 1978 (entry into force: 11 Oct 1980)	*Technical convention; up-to-date	*Applies to HK; notified: 1 Jul 1997; in force; *Ratified by China: 7 May 2002; in force	*Not ratified
23. C155 - Occupational Safety and Health Convention, 1981 (Entry into force: 11 Aug 1983)	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Not ratified
24. C157 - Maintenance of Social Security Rights Convention, 1982 (entry into force: 11 Sep 1986)	*Technical convention; up-to-date; *Revises C48 (shelved); updates C102, C118.	*Does not apply; *Not ratified by China.	*Ratified: 26 Apr 1994; in force
25. C158 - Termination of Employment Convention, 1982 (Entry into force: 23 Nov 1985)	*Technical convention; 'no conclusion' status	*Does not apply; *Not ratified by China.	*Not ratified
26. C167 - Safety and Health in Construction Convention, 1988 (Entry into force: 11 Jan 1991)	*Technical convention; up-to-date	*Does not apply; *Ratified by China: 7 Mar 2002; in force; no notification on applicability to HK	*Not ratified
27. C168 - Employment Promotion and Protection against Unemployment Convention, 1988 (Entry into force: 17 Oct 1991)	*Technical convention; up-to-date; *Revises C44 (shelved).	*Does not apply; *Not ratified by China.	*Not ratified
28. C172 - Working Conditions (Hotels and Restaurants) Convention, 1991 (Entry into force: 7 Jul 1994)	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Not ratified

Relevant ILO Conventions (Technical / Governance)	Type and Status (ILO classification)	China - Hong Kong SAR	Philippines
29. C181 - Private Employment Agencies, 1997 (entry into force: 10 May 2000). [MBR] [RECRU]	*Technical convention; up-to-date; *Revises C96.	*Does not apply; *Not ratified by China.	*Not ratified
30. C183 - Maternity Protection Convention, 2000 (entry into force: 7 Feb 2002)	*Technical convention; up-to-date; *Revises C103 (obsolete)	*Does not apply; *Not ratified by China.	*Not ratified
31. MLC - Maritime Labour Convention, 2006 (entry into force: 20 Aug 2013). [MBR]	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Ratified: 20 Aug 2012; in force
32. C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (entry into force: 20 Feb 2009)	*Technical convention; up-to-date; *Updates C155.	*Does not apply; *Not ratified by China.	*Not ratified
33. C189 - Decent Work for Domestic Workers, 2011 (entry into force: 5 September 2013). [MBR] [RECRU]	*Technical convention; up-to-date	*Does not apply; *Not ratified by China.	*Ratified: 5 Sep 2012; in force
TOTAL RATIFIED/APPLICABLE/IN FORCE (RELEVANT ILO TECHNICAL/GOVERNANCE CONVENTIONS)		9 of 33 (27%)	10 of 33 (30%)

E. Summary: UN and ILO Treaties Ratified/Applicable/In force in Hong Kong and the Philippines

Type of Treaties Ratified or In Force	Total # of Treaties	Hong Kong (Applicable/In force)	Philippines (Ratified/In force)
1. UN core conventions/protocols (see Table A, above)	18	8 of 18 (44%)	14 of 18 (78%)
2. Other UN conventions relevant to migrants/mobile populations (see Table B, above)	10	4 of 10 (40%)	10 of 10 (100%)
3. ILO fundamental conventions (see Table C, above)	8	6 of 8 (75%)	8 of 8 (100%)
4. Other relevant ILO technical/ governance conventions (see Table D, above)	33	9 of 33 (27%)	10 of 33 (30%)
5. All migrant-related UN treaties (see Tables A & B, above)	28	12 of 28 (43%)	24 of 28 (86%)
6. All migrant-related ILO conventions (see Tables C & D, above)	41	15 of 41 (37%)	18 of 41 (44%)
7. All migrant-related UN & ILO treaties (see Tables A, B, C, & D, above)	69	27 of 69 (39%)	42 of 69 (61%)
8. UN/ILO treaties relevant to recruitment (marked "RECRU" and highlighted in gray, above)	11	3 of 11 (27%)	8 of 11 (73%)
9. UN/ILO treaties that are in the MFA "Migrants' Bill of Rights" (marked "MBR", above)	22	10 of 22 (45%)	19 of 22 (86%)
10. All ILO conventions (data from ILO)	189	48 of 189 (25%); of which 41 are in force; 7 denounced	37 of 189 (20%); of which 35 are in force; 2 denounced

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APL

The Alliance of Progressive Labor is composed of different types of workers' organizations in the private, informal and migrant sectors. It was founded in 1996 as an "alternative and multiform" national labor center. It institutionalized and popularized SMU or social movement unionism, which espouses, among others, organizing not only the "traditional" type of trade unions but other forms of workers' organizations. This view is consistent with the need to "reinvent" organizing strategies and tactics amid the onslaught of global neoliberalism.

APL is one of the founding organizations of the *Sentro ng mga Nagkakaisa at Progresibong Manggagawa* (SENTRO) – Center of United and Progressive Workers – a new and bigger labor center, which held its founding congress in 2013; as well as the broad national labor coalition NAGKAISA! (United!), which comprises most of the leading trade unions, federations and confederations in the Philippines.

LEARN

The Labor Education and Research Network Inc. is a nongovernment organization (NGO) that provides various services to workers in the private, public and informal sectors. Its core programs include labor, trade union and political education; research and publication; women or gender advocacy; and trade union solidarity and networking. Founded in 1986, LEARN has currently 15 full-fledged affiliate organizations and about 100 partner organizations nationwide, which are mostly involved in the country's labor movement. Members of the LEARN Board of Trustees are leaders of different Philippine trade unions and other mass organizations.

LEARN is an affiliate of the International Federation of Workers' Education Associations (IFWEA) and the Global Network.

PLU-APL

The Progressive Labor Union of Domestic Workers in Hong Kong is a trade union of Filipino domestic workers in this China's territory. With assistance from the LO-Norway and various trade union and migrant groups in Hong Kong, the APL spearheaded the merger of several Filipino workers' organizations in Hong Kong into one union, the PLU, which was duly registered with the Hong Kong's Registry of Trade Unions on April 27, 2012 (Registration No. TU/1247). Its first General Assembly was held on June 17, 2012. Filipinas comprise one of the biggest, if not the biggest, ethnic groups among the tens of thousands of domestic migrant workers in Hong Kong, providing the PLU the huge task of organizing them and promoting their rights and welfare. PLU's programs and services include organizing; capability building activities (seminars, etc.); policy advocacy, campaigns, legislations and mobilization; and legal assistance.

PLU is a member of the Alliance of Progressive Labor (APL).

LO-NORWAY

Founded in 1899, the *Landsorganisasjonen i Norge* or the Norwegian Confederation of Trade Unions is the largest and most influential workers' organization in Norway. The 22 national unions affiliated to LO have a combined membership of about 900,000 workers or a staggering one-fifth of the country's population of 5 million. Trade union consciousness is in fact deeply embedded in the Norwegian society, and LO and the ruling Labour Party have a shared history and continue to maintain a close relationship to this day. Member unions include both blue and white collar workers, and cover both private and public sectors. About 50 percent of union members are women.

LO-Norway is very active in international solidarity and cooperation, primarily support for building strong, representative and democratic trade unions; as well as in a host of social advocacies on gender, HIV/AIDS, environment, child labor, migrant workers, human rights, etc.

LO-Norway is a member of the Council of Nordic Trade Unions (NFS), the European Trade Union Confederation (ETUC), and the International Trade Union Confederation (ITUC), the world's biggest trade union center.

FES

The Friedrich Ebert Stiftung is a private, not-for-profit, political-educational foundation committed to the ideals and basic values of social democracy. It was founded in 1925 – the first of its kind in Germany – as a political legacy of Germany's first democratically elected president, Friedrich Ebert. The FES has its headquarters in Berlin and currently maintains branch offices in around 90 countries, with projects and activities in over 100 countries.

Its work in the Philippines started in 1964 and is focused on the promotion of democracy and the strengthening of social and ecological dimensions of economic development through education, research, political dialogue and national-regional cooperation. The FES Philippine Office cooperates with government institutions, trade unions, political parties, social movements and NGOs, media groups, scientific institutions, individual experts and other international organizations.

