



A Christian Perspective on Employing FDWs



REDEMPTION
HILL CHURCH

© 2014 REDEMPTION HILL CHURCH

ALL RIGHTS RESERVED. THIS IS A PUBLICATION OF REDEMPTION HILL CHURCH AND THEREFORE NO PART OF THIS PUBLICATION MAY BE REPRODUCED, STORED IN ANY RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WHETHER ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING AND RECORDING, WITHOUT THE PERMISSION OF REDEMPTION HILL CHURCH.

WELCOME MESSAGE

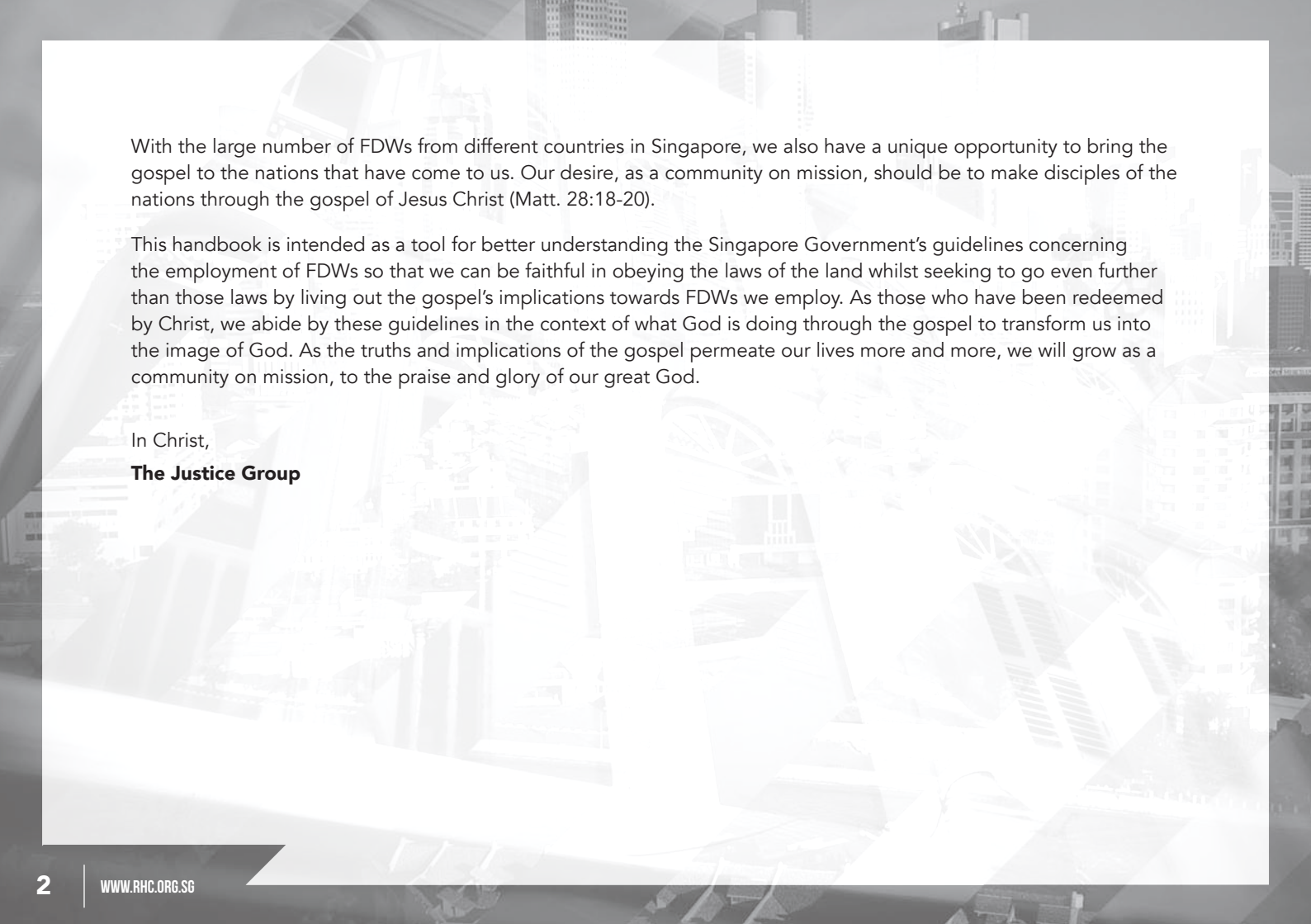
Dear RHC community,

One of our core values is to be a community on mission that renews Singapore through the gospel. This takes place as the gospel and its implications get worked out more and more in our lives. This includes our life in the home, which, for many in Singapore, involves the employment of a foreign domestic worker (FDW). As the people of God, His word ought to shape how we relate to the FDWs in our midst. In Singapore, there are some 214,500 FDWs working in homes.¹

Under Singapore law, FDWs are not afforded the same degree of protection in the workplace as other workers. The Ministry of Manpower has guidelines for the employment of FDWs but how these are specifically applied is left to the discretion of employers. Consequently, it is primarily the responsibility of employers to implement fair and honest work practices.

As followers of Christ, we ought to abide by the laws of the land in submission to the governing authorities that God has placed over us (Rom. 13:1-7). A just government, the apostle Paul writes, is “God’s servant for our good”. In Colossians 4:1, employers are exhorted to treat their workers “justly and fairly” because God is our Master in heaven. The just and fair treatment of FDWs is a matter of obedience to our heavenly Master. At the same time, we should be willing to go beyond the minimum requirements of the law of the land, given that the gospel leads us to desire the full flourishing of others, and that we follow a Lord and Saviour who humbled himself to serve us (Phil. 2:6-8).

¹Ministry of Manpower, “Foreign Workforce Numbers”, June 2013, available at: <http://www.mom.gov.sg/statisticspublications/others/statistics/Pages/ForeignWorkforceNumbers.aspx>.



With the large number of FDWs from different countries in Singapore, we also have a unique opportunity to bring the gospel to the nations that have come to us. Our desire, as a community on mission, should be to make disciples of the nations through the gospel of Jesus Christ (Matt. 28:18-20).

This handbook is intended as a tool for better understanding the Singapore Government's guidelines concerning the employment of FDWs so that we can be faithful in obeying the laws of the land whilst seeking to go even further than those laws by living out the gospel's implications towards FDWs we employ. As those who have been redeemed by Christ, we abide by these guidelines in the context of what God is doing through the gospel to transform us into the image of God. As the truths and implications of the gospel permeate our lives more and more, we will grow as a community on mission, to the praise and glory of our great God.

In Christ,

The Justice Group



MOM Employer Guidelines, Christian Considerations and Practical Applications

1. Non-Coverage by the Employment Act

MOM Guideline: *Domestic workers, both foreign and local, are not covered by the Employment Act. It is not practical to regulate specific aspects of domestic work, i.e. hours of work, work on a rest day and on public holidays. For example, it would be hard to compute overtime payments as domestic workers' work/free time are difficult to define and regulate in the same way as employees working in offices or factories.*

Christian Consideration: Without the protections offered under the Employment Act, FDWs can potentially be vulnerable to abuse and exploitation. We are all made in the image of God, who shows no partiality (Eph. 6:9). We reflect the image of God by treating others with love, justice and fairness. This ought to guide the way we relate to the FDWs in our employment.

Practical Application: As the definition of a working day is ultimately left in the hands of the employer, it is important to work out what is a fair expectation of an FDW's working hours, free time, telephone calls, Internet time and personal tasks. Since FDWs leave their home countries to work in Singapore, affording them adequate opportunities to stay connected with their families is one way of caring for their well-being.

2. Disputes

MOM Guideline: *Disputes might arise because of misunderstandings and differing expectations. When these happen, you should first try to resolve them with your FDW. Even if there is suspicion that she might have committed a misdeed or crime, you should not take matters into your own hands by meting out physical or other forms of punishment. If you need assistance, please contact your employment agency or MOM, which offers help to resolve such employment disputes. The reconciliation service is provided free-of-charge. Please contact MOM at 6438 5122.*

Christian Consideration: As employers, we have the responsibility to resolve conflicts with our FDWs. Firstly, we must avoid a judgmental attitude that is harsh and hypocritical (Matt. 7:1-5). Rather, we ought to pursue justice and love. In the Bible, these are complementary, not opposing, virtues (Mic. 6:8). The posture of our hearts in resolving any relational conflict should be one of humility, patience and grace (Jas. 1:19). Secondly, if there is suspicion of any misdeed, then due process must be followed in order to justly determine whether any wrong has occurred. *“Every charge must be established by the evidence of two or three witnesses.”* (Deut. 19:15). Finally, the goal of conflict resolution should be repentance and reconciliation (Jas. 4:1-10). Therefore the gospel must give shape and content to how we go about resolving conflict with FDWs. Conflict actually provides us with an

opportunity to make the gospel clear, when we point ourselves and FDWs to Jesus Christ, the chief peacemaker.

Unfortunately it can happen that FDWs are punished physically for mistakes they make in the home. Although actions like hitting, throwing items and forcing FDWs to stand for hours at a time may be viewed by some as suitable consequences, as Christians, we must be counter-cultural and resist carrying out any form of physical punishment. These practices are not constructive and have serious effects on the emotional and psychological well being of FDWs. If mistakes need to be corrected, do so with gentleness and self-control, so as to display the fruits of your relationship with God (Galatians 5:22-23).

Practical Application: As with any employment situation, miscommunication is inevitable. The relevant consideration

is therefore how the misunderstandings are handled. On small matters (e.g. language barriers, cultural differences, minor household task oversights), remember firstly to keep perspective. Recognize that FDWs hail from wide-ranging cultural backgrounds and what is natural to you may be unusual to them. On bigger matters (e.g. treatment of the children, overall attitude, curfew), healthy patterns of communication, which allow both sides to contribute, will ultimately build a strong working relationship and smooth over small hiccups. One suggested way of fostering

better communication with FDWs is to have a monthly dialogue on the FDW's pay day, allowing you and her to voice positive feedback and any concerns over areas of improvement. Ensure the FDW is made aware of this monthly meeting arrangement in order for her to prepare.

If conflict continues, we strongly encourage you to seek external advice on reconciliation, through third parties such as church leaders or the MOM. As indicated above, this is a free of charge service offered by the MOM.

3. Levy, Termination, Repatriation and Security Bond

MOM Guideline: *The Singapore Government charges employers a monthly levy for employing a FDW. The normal monthly levy rate is \$265, with a concession rate of \$120/month offered to persons with young child/grandchild; aging persons and persons with disabilities. Employers are eligible for levy waivers if the FDW is on home leave (maximum 60 calendar days/year), fails to return to Singapore after home leave, is on hospital leave, is under police custody or is housed in an Embassy. If the FDW goes missing, the employer is required to file a missing person police report and cancel the Work Permit within seven days of his/her knowledge that the worker is missing to cease the levy liability.*

Christian Consideration: The financial cost involved in employing a FDW should not lead employers to lord it over their FDW. Instead, employers ought to exercise their

authority with impartiality, knowing that we must give an account to our Master in heaven (Col. 4:1).

Practical Application: The monthly levy and security bond are Government policies that tax employers and protect FDWs and are therefore not the FDW's burden to bear. It is important not to concern FDWs with your personal financial obligations to the government, or speak negatively about costs incurred in exchange for their work. When the employment contract comes to an end, acknowledge and appreciate their work to date and ensure the repatriation

process is smooth (e.g. arrange the necessary travel documents in a timely fashion). In cases of early termination of employment prior to a contract having run its course (on either side), do respect the "reasonable notice" period set out in the MOM guidelines, for example, with at least 60 days' notice to the FDW as they secure another job in Singapore or facilitate new employment elsewhere.

4. Mandatory Rest Day

MOM Guideline: All FDWs who have their Work Permits issued on or after 1 January 2013 are entitled to a weekly rest day. To give employers and FDWs greater flexibility, employers may compensate their FDWs if there is mutual written agreement between both parties for the FDWs to work on their rest days. The compensation should be at least one day's salary or a replacement rest day taken within the same calendar month.

Christian Consideration: In the Bible, rest is important. God rested on the seventh day after he created the heavens and the earth. In God's created order, there is a rhythm of work and rest. Rest reminds us of our wise and sovereign Creator, whom we trust and depend on for all things. It is therefore good to abide by the biblical pattern of work and rest in our lives.

Practical Application: The mandatory rest day is intended to be a full day of rest from work during a 7-day cycle, uninterrupted by work obligations (e.g. making breakfast in the morning or finishing the ironing that night). In the case of FDWs who are Christians, they should be given the opportunity to attend church services.

5. Accommodation

MOM Guideline: As an employer, you are responsible for the provision of accommodation for your FDW. Accommodation is acceptable only if it meets all the following requirements:

- **Adequate shelter:** Accommodation must adequately protect your FDW from environmental elements such as the sun, rain or strong winds.
- **Provision of basic amenities:** Your FDW must minimally be provided a mattress, a pillow, and a blanket.
- **Sufficient ventilation:** Accommodation must be sufficiently ventilated. Mechanical ventilation (e.g. electrical fan) should be provided if natural ventilation is inadequate.
- **Ensuring safety:** Your FDW should not sleep near any dangerous equipment or structure that could potentially cause harm or hurt to her.
- **Ensuring modesty:** Your FDW must not sleep in the same room as a male adult / teenager.
- **Ensuring space and privacy:** Where possible, your FDW should be given a separate room of her own. If that is not possible, you should ensure that sufficient space and privacy are provided for your FDW.

Christian Consideration: For Christians, the relevant concern is not the minimum requirement for compliance but that we show Christ-like love and care for the FDWs we employ. Jesus commands us to *“Do to others whatever you would like them to do to you”* (Matthew 7:12).

Practical Application: Although there are obvious restrictions on household space in Singapore, an FDW should be granted appropriate space that protects her

privacy, safety, rest and modesty. In cases of shared bathrooms, respect their modesty and personal hygiene needs (e.g. do not prescribe bathroom access). Never enter their room unannounced or without their knowledge; their personal space and belongings should always be treated with utmost respect.

Along with appropriate accommodation, do discuss food and meal arrangements. FDWs may have restrictions on

their diets (e.g. medical allergies or religious concerns), or may not find the food they prepare for you and your family appetizing. It is best to avoid conflict in this area by agreeing on a food plan up front and ensuring your FDW is receiving enough to eat.

Note: Prior to taking on a FDW, think through your own dietary habits. If, for example, you have a diet that is heavy in pork, raise this subject during the interview stage in case the FDW is Muslim and has a strong aversion to preparing it. This is the type of potential conflict that is easily avoided, if dealt with prior to her hiring.

6. Medical Care

MOM Guideline: As an employer, you are responsible for your FDW's medical needs. You are required to bear the full cost of her medical care should she require medical treatment, including hospitalisation.

- *Medical insurance: For medical insurance policies taken up or renewed on/or after 1 January 2010, the insurance coverage must be at least \$15,000 per year for each FDW's inpatient care and day surgery during her stay in Singapore. This is in line with the employers' existing responsibility for the upkeep and well-being of their FDWs, including the provision of medical treatment.*
- *Personal accident insurance: It is compulsory for employers to take up a Personal Accident Insurance policy for their FDWs before they can employ the FDW. The minimum sum assured should be \$40,000. Any compensation payable should be made to her or her beneficiaries.*

Christian Consideration: Since the MOM cannot micromanage every employer-employee relationship, it is essential that employers respect their responsibility to ensure adequate medical care coverage, particularly

when accidents or unforeseen illnesses occur. This is an opportunity to display the love of Christ for those around us (Luke 10:29-37).

Practical Application: Over the course of a 2-year contract, medical needs will inevitably arise. In cases of non-emergencies, do take complaints and symptoms seriously by providing medicine, escorting them to the doctor and following up on any necessary medical treatment. While the MOM guidelines do not explicitly mention dental health

care, some provision should be made for this as well. When initially drafting and signing the employment contracts, do also discuss expectations concerning sick days; it is unrealistic to expect a FDW to be 100% healthy all of the time.

7. Employment Contracts

MOM Guideline: *To avoid disputes, the MOM encourages employers and their FDWs to enter into a written employment contract. Employment agencies commonly draft mutually agreeable contracts for the two parties involved. In event of an employment problem or breach of contract by her employer, the FDW can lodge a complaint or file a claim with MOM. MOM will contact the employer and arrange for a meeting between the FDW and the employer to resolve the dispute.*

Christian Consideration: As followers of God, we serve a Master who is gracious, righteous and loving. This should shape how we relate to the FDWs we employ. Having a written employment contract is one way to give concrete expression to our desire to treat FDWs with justice and fairness.

Practical Application: While the signing of employment contracts is encouraged but not wholly enforced by MOM,

a working agreement honours their occupation as a FDW. Just as we expect fair job descriptions and contracts in our working lives, so should we demonstrate a high level of professionalism when employing a FDW. We encourage you to spend time developing the contract together in order to minimise potential conflict over role expectations.

It is never too late to develop a working agreement, regardless of how far into the two-year period you are.

Start by thinking through the daily tasks you envisage an FDW assisting with and create a job description. Then draft a contract that reflects your expectations of the FDW's role in the home, as well as what she can expect from you as the employer (e.g. explanation of expected daily working hours, breaks for mealtimes, phone calls home, etc.).

Make sure to also include items such as a mutually agreed upon notice period, sick leave and holiday. Allow the FDW to spend time reading the contract and do ensure she receives a signed copy for her own records. For a sample contract template, please contact the RHC Justice Group.

8. Monthly salary

MOM Guideline: A FDW's wages should reflect the scope of work agreed upon. The employer must pay the FDW the fixed monthly salary declared to MOM. She must be paid her due salary each month, no later than seven days after the last day of the salary period. Any salary period agreed between the employer and worker shall not exceed one month. If the worker so requests, the salary shall be paid via direct transfer into the worker's bank account in a bank established in Singapore. If it is mutually agreed that the employer should keep the bank account book, the FDW must be given access to the book at all times to check that payments are credited promptly and regularly. The employer must also keep a record of the monthly salary paid to the FDW, and should be able to produce this record at the request of any authorised public officer.

Christian Consideration: James 5:4 prohibits the unjust withholding of wages: *"Behold, the wages of the labourers who mowed your fields, which you kept back by fraud, are crying out against you, and the cries of the harvesters have reached the ears of the Lord of hosts."* It is important therefore to ensure that the FDW's salary is paid in a timely manner every month.

Practical Application: Since salary payment arrangements are only loosely inspected by the authorities, it is important for employers to develop a transparent arrangement for remuneration. For example, keep a monthly journal that logs dates of payment and records signatures from both parties. This can be done in addition to your or the FDW's own personal records, but this practice ensures an added opportunity for communication, as outlined in point number 2 'Disputes'.

9. Illegal Deployment

MOM Guideline: *Under the existing Work Permit conditions, FDWs can only be employed for the performance of domestic chores for their employers, at the residential addresses stated on the Work Permits. FDWs may only be deployed to work at another address if their duties in their employer's home includes looking after the employer's young children or elderly parents; and they are at the other address to continue their duty of looking after the employer's young children or elderly parents. Employers can be charged for illegally employing or deploying a FDW.*

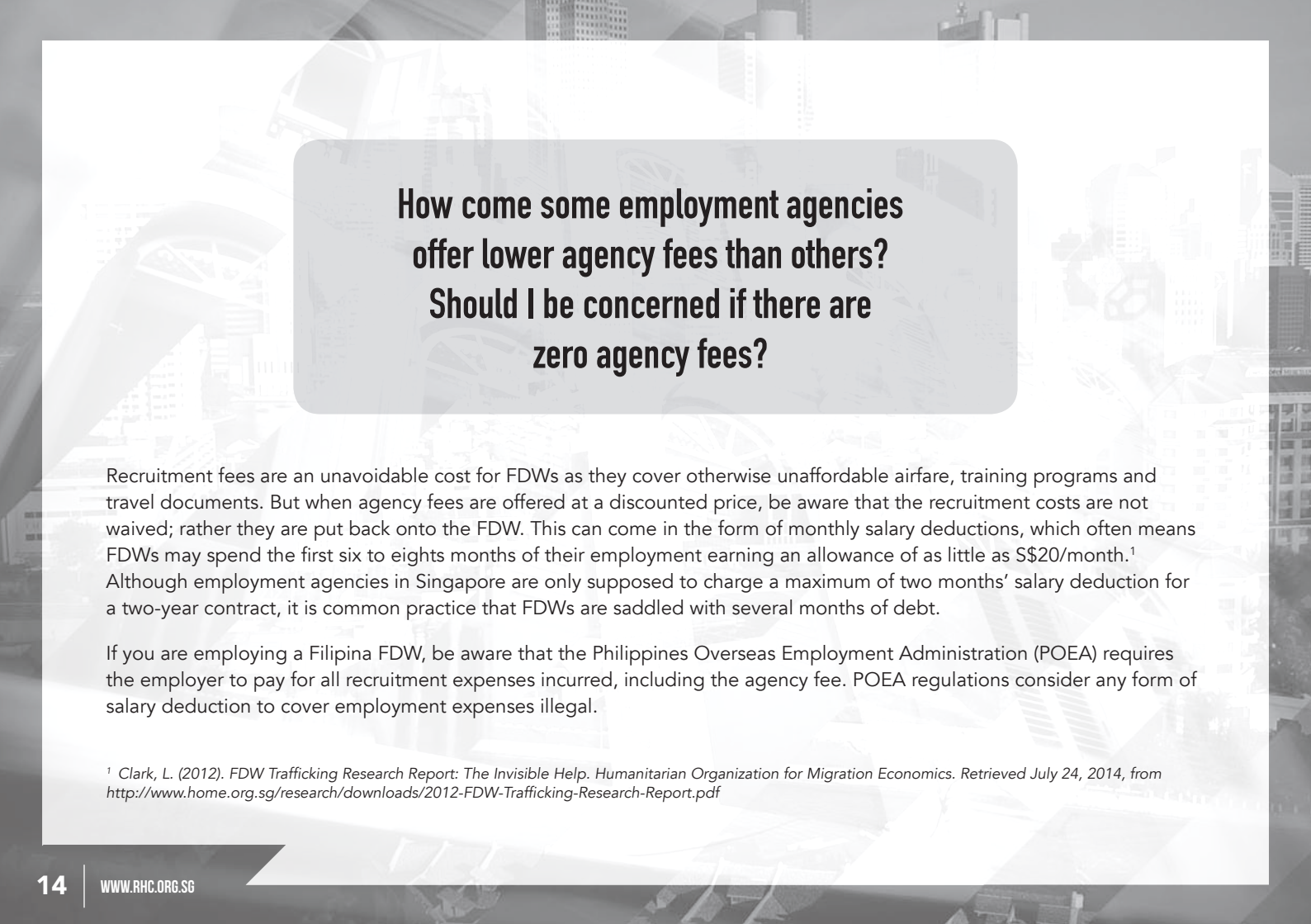
Christian Consideration: The practice of "maid sharing" is not uncommon in Singapore. Guidelines to protect against illegal deployment are in place to safeguard FDWs' working conditions, but ultimately it is the employer who maintains employment boundaries. We should ensure we follow the MOM guidelines not only because we are commanded to uphold the laws of the land (1 Peter 2:13-14) but more importantly because we want to protect FDWs from overwork and exploitation, ensuring they have adequate rest.

Practical Application: As an employer, a straightforward method to ensure compliance with this guideline is to examine whether the FDW's responsibilities serve only your immediate household. If they go beyond attending to those living under your roof (e.g. cleaning a relative's home), then stop and consider whether this practice is in keeping with this regulation.



FAQs





How come some employment agencies offer lower agency fees than others? Should I be concerned if there are zero agency fees?

Recruitment fees are an unavoidable cost for FDWs as they cover otherwise unaffordable airfare, training programs and travel documents. But when agency fees are offered at a discounted price, be aware that the recruitment costs are not waived; rather they are put back onto the FDW. This can come in the form of monthly salary deductions, which often means FDWs may spend the first six to eight months of their employment earning an allowance of as little as S\$20/month.¹ Although employment agencies in Singapore are only supposed to charge a maximum of two months' salary deduction for a two-year contract, it is common practice that FDWs are saddled with several months of debt.

If you are employing a Filipina FDW, be aware that the Philippines Overseas Employment Administration (POEA) requires the employer to pay for all recruitment expenses incurred, including the agency fee. POEA regulations consider any form of salary deduction to cover employment expenses illegal.

¹ Clark, L. (2012). *FDW Trafficking Research Report: The Invisible Help*. Humanitarian Organization for Migration Economics. Retrieved July 24, 2014, from <http://www.home.org.sg/research/downloads/2012-FDW-Trafficking-Research-Report.pdf>

I've heard that I will forfeit my security bond if the FDW I've hired falls pregnant. Is that true?

This is a common misunderstanding around the employment of an FDW. Fear of financial loss is one reason many employers use to justify restricting an FDW's movements. In fact MOM regulations as of January 2010 state that employers will no longer be penalized for the pregnancy of an FDW.

However, if a pregnancy does occur, it is important to notify the MOM immediately via email: mom_wpd@mom.gov.sg. Be sure to include the following information in your email:

- FDW's name
- Work Permit number
- Medical letter confirming proof of pregnancy and due date
- Citizenship of FDW's spouse (when applicable)

For more information, please visit: <http://www.mom.gov.sg/foreign-manpower/passes-visas/work-permit-fdw/inform-mom/Pages/update-of-details.aspx#Pregnant>

What happens if an FDW goes missing while under my employment? Will I lose my security bond?

It is very rare for an employer to lose their security bond because an FDW goes missing. However if an FDW does abscond, the employer is required to file a missing person police report and cancel the Work Permit within seven days of her disappearance.

In circumstances of an FDW running away or trying to flee the country, employers are given up to one month to locate and repatriate the missing FDW and will not lose the security bond if the situation is resolved within that time period. If a missing FDW is located within three months of the security bond being forfeited, the employer can make an appeal to the MOM to reclaim the money. In extreme cases when an FDW is unable to be located and repatriated within three months, employers only forfeit half of the security bond when the following measures have been taken:

- Filed a missing persons report with the police;
- Notified MOM of missing FDW.

For more information, please visit: <http://www.mom.gov.sg/foreign-manpower/passes-visas/work-permit-fdw/inform-mom/Pages/update-of-details.aspx#Missing>

An aerial photograph of Singapore's skyline, featuring various skyscrapers and buildings. A large, semi-transparent circular graphic is centered over the image, containing the text. The graphic is composed of several overlapping, semi-transparent shapes in shades of red, yellow, and grey, creating a complex, layered effect. The text is centered within this graphic.

VISIT US AT

www.rhc.org.sg

REDEMPTION HILL CHURCH

The Auditorium at Level 3,
291 New Bridge Road, Oriental Plaza,
Singapore 088756