

# COUNTRY BRIEFER

# SINGAPORE

## DECENT WORK FOR WOMEN

## MIGRANT WORKERS SERIES



### BACKGROUND

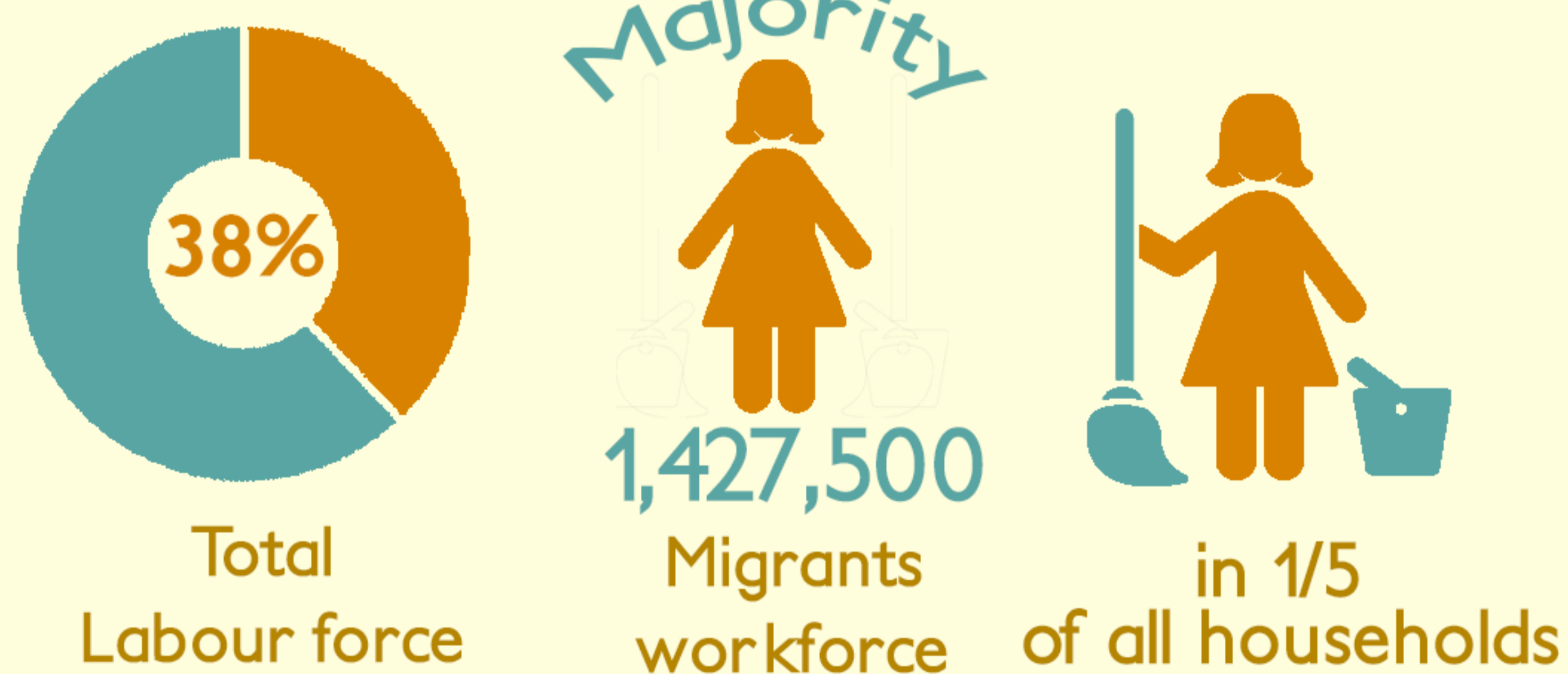


In recent years, the government of Singapore has liberalised its foreign labour recruitment policies to meet the needs of industries such as construction, manufacturing, shipyard work, in addition to the service and domestic sectors. Migrants currently make up around 38 per cent of the total labour force in the country.<sup>2</sup> According to the Singapore Ministry of Manpower, the total number of migrant workforce in 2019 is 1,427,500.<sup>3</sup> Women, mostly employed as domestic workers, represent the majority of migrant workers in Singapore and it is estimated that one-fifth of all households employ domestic workers.<sup>4</sup>

### COUNTRY OVERVIEW

Main source countries for migrant workforce	Malaysia, Indonesia, the Philippines, Burma/Myanmar, India, Pakistan, Bangladesh, Sri Lanka
Women's share of total migration	Over 50 per cent of the total migrants in Singapore <sup>1</sup>
Main sectors of employment	Domestic work, elderly care, manufacturing, construction

## MIGRANT WORKERS



Despite the crucial role played by migrant workers, they remain one of the most marginalised groups in Singapore. Singapore has not ratified core international conventions relevant to the protection of migrant women workers, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) or ILO Convention 97 on Migration for Employment.

There is also notable discrimination towards skilled and semi-skilled migrants. Different immigration rules apply to the two groups of workers. Skilled workers are afforded rights such as a path to permanent residency and citizenship, whereas semi-skilled workers are denied such rights and are put under strict restrictions on where and under what conditions they are allowed to work. The situation is particularly dire for women migrant workers who are excluded from the Employment Act.

Rights to:  
Permanent  
Residency  
Citizenship



## SPONSORSHIP



Migrant domestic workers are hired on a sponsorship system, which gives a tremendous amount of power to employers. For instance, employers can cancel or renew the worker's work permit online without the migrant domestic worker's knowledge or consent.

In this case, workers can be dismissed and repatriated within days if they try to assert their rights.<sup>5</sup> Women migrants are also subjected to regular medical examinations to test for pregnancy and infectious diseases and are restricted from marrying Singaporean citizens or permanent residents.



- PERMIT CANCEL OR RENEW WITHOUT CONSENT
- DISMISSED OR REPATRIATED
- SUBJECTED TO REGULAR MEDICAL EXAMINATION FOR PREGNANCY TEST AND INFECTIOUS DISEASES
- RESTRICTED FROM MARRYING A SINGAPOREAN OR PERMANENT RESIDENT

There are few NGOs in Singapore that provide legal aid to migrant workers or carry out advocacy on their behalf. Despite training programmes by the Singapore government, most migrant workers are unaware of relevant government agencies or their home country embassies where they can seek help. A discriminatory legal framework and lack of enforcement of migrant workers' rights means that workers often face issues such as unpaid or irregular salary payments, unsafe work environments, overwork, physical, emotional and sexual abuse, debt bondage and forced labour.

### DEBT BONDAGE

### IRREGULAR SALARY PAYMENTS

**UNPAID** **DISCRIMINATORY** **PHYSICAL ABUSE**  
**OVERWORK** **LEGAL FRAMEWORK** **EMOTIONAL ABUSE**

**UNSAFE WORK ENVIRONMENTS** **SEXUAL ABUSE**

### FORCED LABOUR

## THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

### MINIMUM WAGE



Singapore does not have a national minimum wage policy for all workers. Until 2015, the Singapore government introduced the "Progressive Wage Model" which applied to employers from the cleaning, security and plantation sectors. The progressive wage model sets out a different minimum wage level for different positions, which applies to citizens and permanent residents (PR) only. This leaves migrant workers vulnerable to long-term economic exploitation.



Research has found that low/semi-skilled migrant workers are paid less than locals in all sectors of the economy. While some sending countries, such as the Philippines and Indonesia, have set minimum wages for their citizens working as domestic workers in Singapore through the Memorandum of Understanding (MoU) process, yet these wages are not enforceable. This also creates discriminatory wages between workers from different countries, with migrant domestic workers from countries such as India and Burma/Myanmar receiving much lower wages.

The Humanitarian Organization for Migration Economics (HOME) found that the range of wages for migrant domestic workers can vary between SGD 350 (USD 258) to SGD 650 (USD 479) per month.

**NO  
MINIMUM  
WAGE**

**WAGES RANGE**



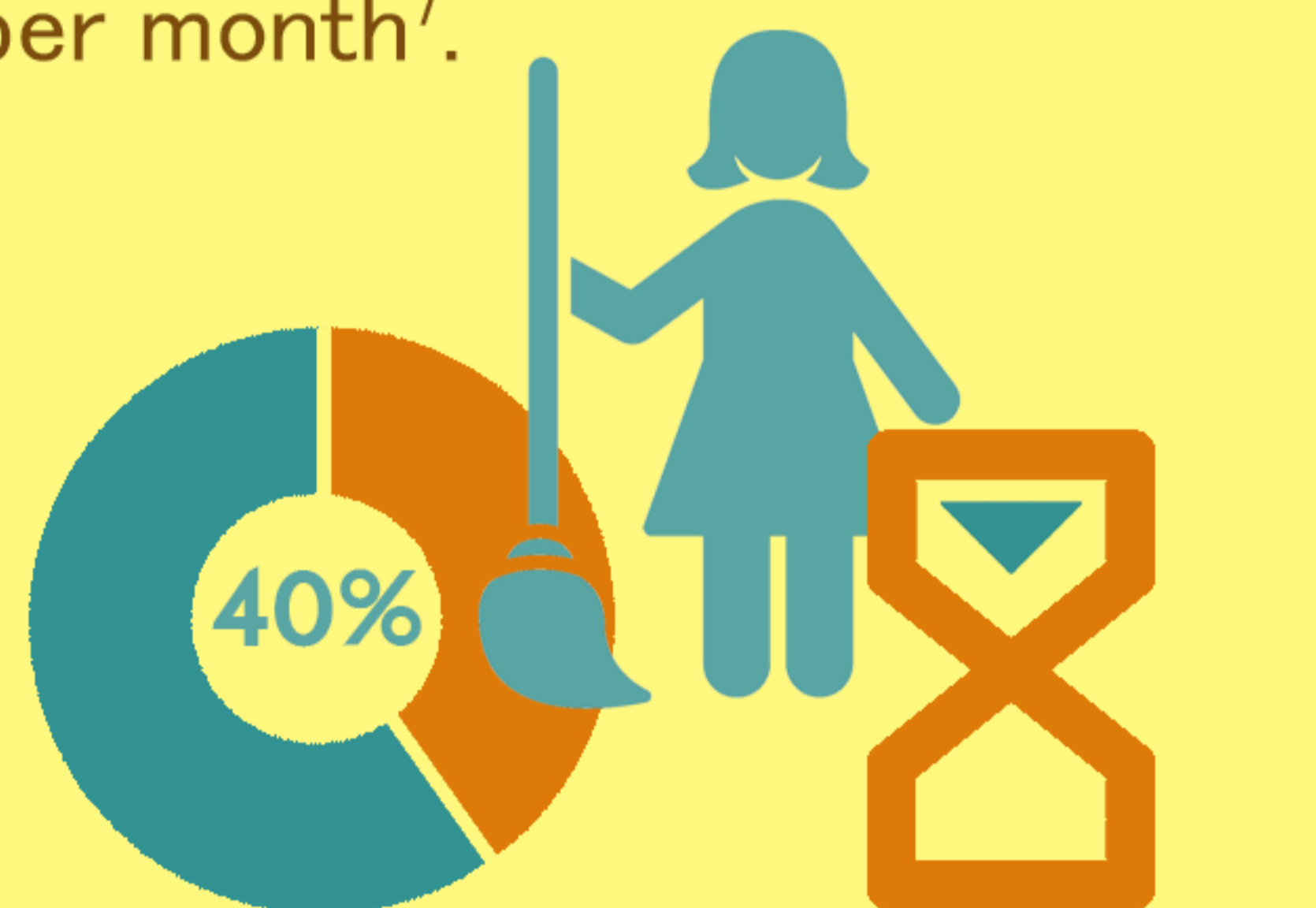
**258  
-  
479 / month**

# THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

## WORKING HOURS



The working hour protection under the Employment Act in Singapore only applies to the manual labour who is earning less than SGD 4,500 (USD 3,299) per month; or to an employee who is covered by the Employment Act and earns less than SGD 2,600 (USD 1,906) per month. The maximum working hours is 12 hours per day and the overtime hours should not exceed 72 hours per month<sup>7</sup>.



No Day Off

16 hours/day  
Regularly



Controlled  
Rest Hour

However, since semi-skilled workers are not covered under the Employment Act and there are no formal restrictions on the number of hours they can work. Migrant domestic workers have been found to work over 16 hours /day regularly. In 2012, the Ministry of Manpower granted a weekly rest day to migrant domestic workers. However, a survey of 670 domestic workers by civil society organisation HOME revealed that 40 per cent did not get the mandated weekly day off.<sup>8</sup> In Singapore, the live-in policy requires the migrant domestic workers to live with the employers, which blurred the distinction between work and rest/leisure. In many cases, the employers control the rest hour and the rest day arrangement of the migrant domestic workers, technically making them work almost 24/7.

## SOCIAL PROTECTION



In Singapore, migrant workers are not entitled to provident fund payment from employers, which only applies to citizens or permanent residents.<sup>9</sup>

Instead, migrant workers are provided with some social protection benefits under the Employment Act (for skilled workers) or Employment of Foreign Manpower Act (for semi-skilled workers). These legal frameworks obligate employers to provide medical treatment, personal safety, housing, prompt payment of salary and adequate food and rest. The Employment Agencies Act specifies strict obligations and penalties for both employers and employment agencies for non-compliance.

Employers are mandated by the Ministry of Manpower to provide medical insurance to all migrant workers, including domestic workers. The minimum amount of medical insurance coverage is SGD 15,000 (USD 10,998) annually and covers hospitalisation and surgery.



EMPLOYMENT ACT



EMPLOYMENT OF FOREIGN  
MANPOWER ACT



MEDICAL TREATMENT

PERSONAL SAFETY

HOUSING

PROMPT PAYMENT OF SALARY

ADEQUATE FOOD

ADEQUATE REST

# THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

## MATERNITY RIGHTS AND BENEFITS



Pregnancy is not allowed for women migrant workers and they are subjected to medical tests every six months to ensure that they are not pregnant. If they fail this test, then they can be repatriated immediately.<sup>10</sup>

Pregnancy might be allowed if the migrant worker is married to a Singaporean citizen or permanent resident. However, permission from the Controller of Immigration is required for marriage between a migrant worker and a citizen/permanent resident.<sup>11</sup>

SUBJECTED TO PREGNANCY TEST  
EVERY 6 MONTHS



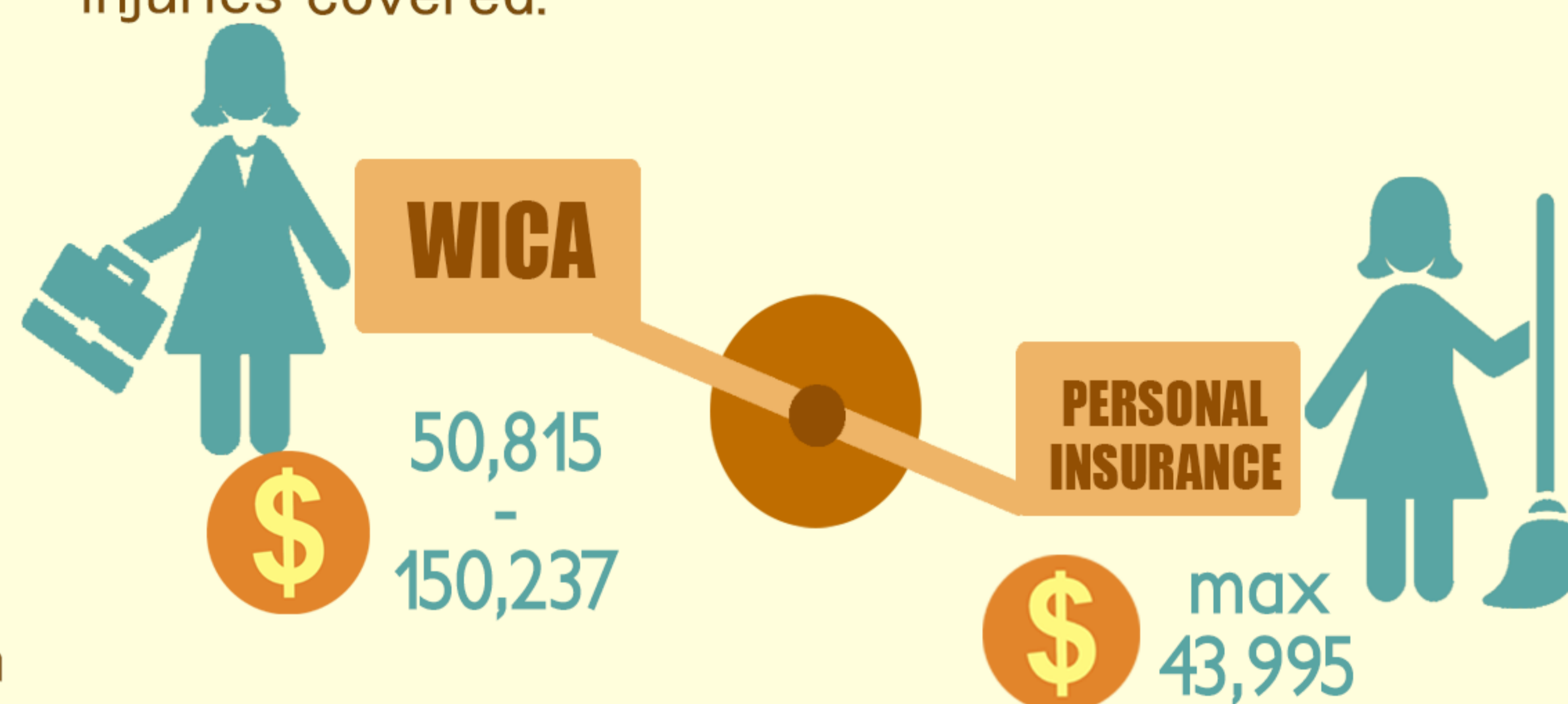
REPATRIATED

## RIGHTS AT WORK



Although most migrant workers are covered under the Work Injury Compensation Act (WICA), migrant domestic workers are excluded from it. This means that the level of compensation they are entitled to in case of injury is much less than other categories of workers. Under WICA, if workplace injury results in death, then the family members and dependents can claim compensation in the range of SGD 69,000 – SGD 204,000 (USD 50,815–150,237). However, migrant domestic workers who sustain injuries resulting in disability or death are allowed to claim

a maximum amount of SGD 60,000 (USD 43,995) under personal accident insurance, which is significantly lower than what WICA offers. Personal accident insurance benefits are also more limited than WICA in terms of the type of injuries covered.<sup>12</sup>



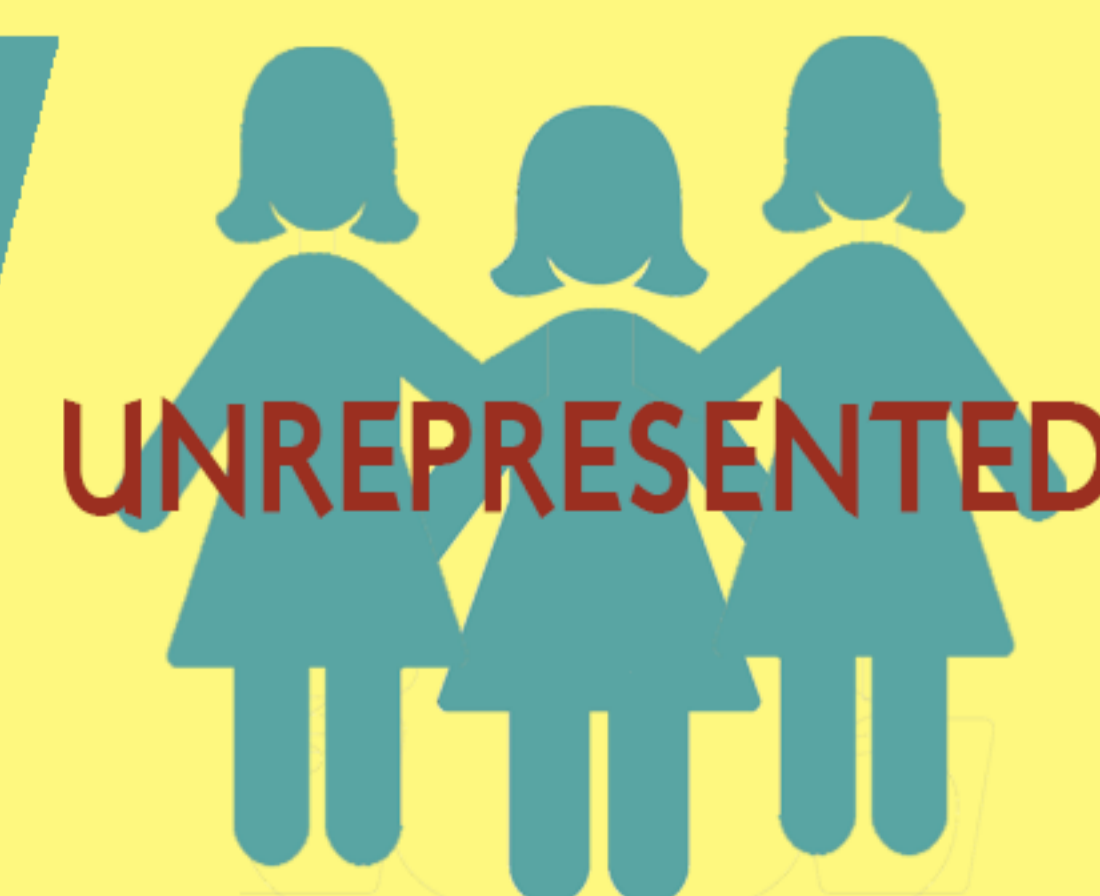
## FREEDOM OF ASSOCIATION



Migrant workers are legally permitted to join a union under Singapore's Trade Unions Act. However, the Act does not allow foreigners to register a union without the permission of the Ministry of Manpower. The Act also disallows foreigners from holding leadership and executive committee positions in trade unions. As a result, they are frequently unrepresented or excluded from agreements entered into between companies and unions.<sup>13</sup> There are also significant practical obstacles to migrant workers joining unions. Since the work permit system gives employers unilateral power to cancel permits and repatriate workers,

it means that there is no meaningful way for workers to exercise their right to organise. This has deprived women migrant workers from being able to speak up and defend their own rights. Regulation also stipulates that governing bodies of rights organisations should have Singaporean citizens as the majority, which further restricts the ability of migrant workers to have their views represented.<sup>14</sup>

MIGRANT WORKERS ARE NOT ALLOWED TO:  
- REGISTER A UNION  
- HOLDING LEADERSHIP  
- HOLDING EXECUTIVE POSITION  
TRADE UNION ACT



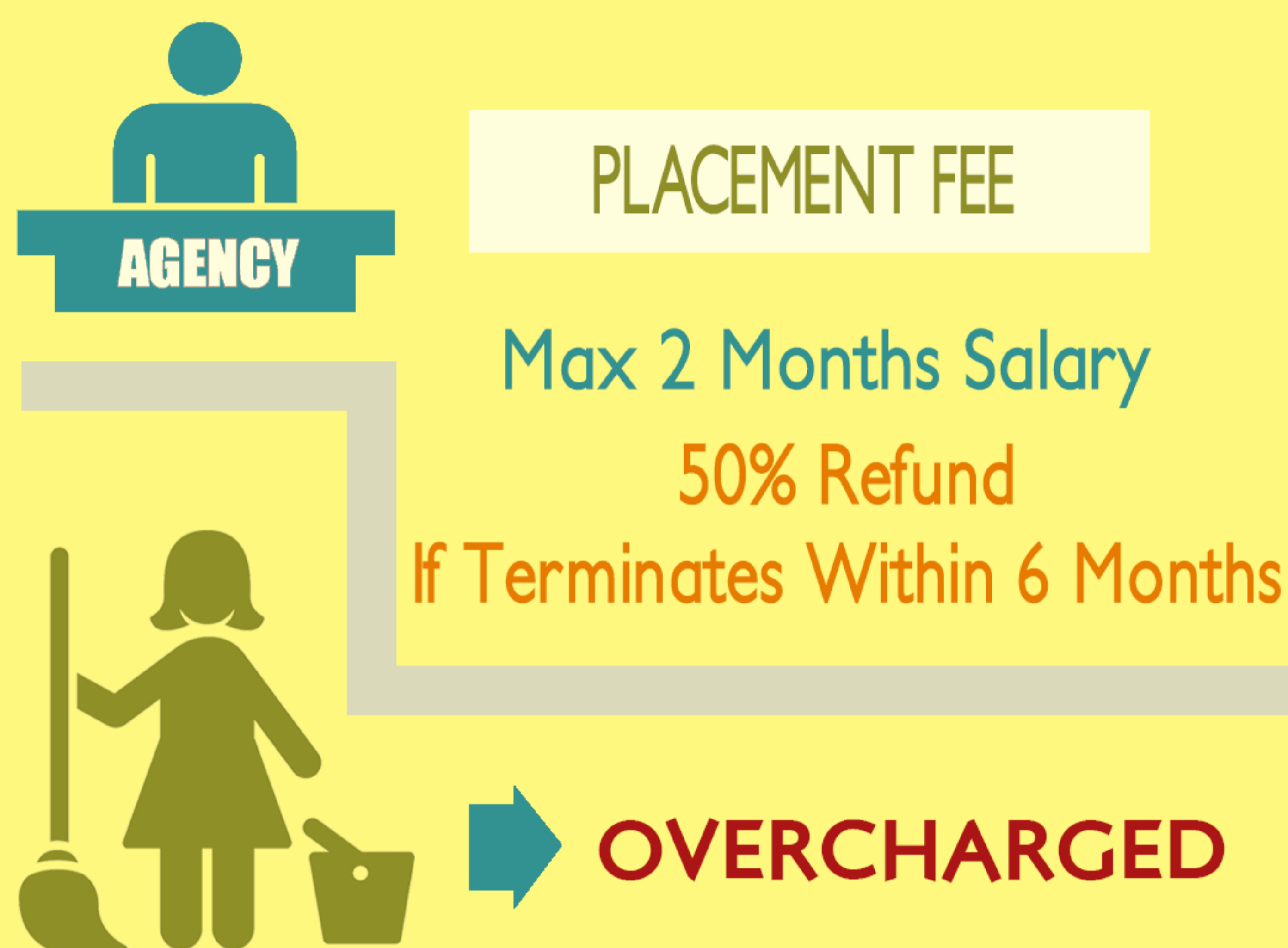
# THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

## LABOUR INSPECTION & REGULATION OF RECRUITMENT AGENCIES



According to the Employment Agencies Act, agencies are not allowed to charge the workers more than two months' salary, and no more than one month for each year of service. If the employer unilaterally terminates the worker's contract within the first six months, then the agency is liable to refund 50 per cent of the collected fees within seven working days of the termination. The Employment Agencies Rules does not regulate indirect avenues of charging fees, such as through employers or third-party loans.<sup>15</sup> However, in reality, migrant domestic workers are often charged several times the allowable limit.

### EMPLOYMENT AGENCIES ACT



EXPLOITATION EXPLOITATION  
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Failure of enforcement by the Ministry of Manpower has been pointed to as the main reason behind the widespread exploitation of migrant domestic workers by agencies and employers. While the Employment Agencies Act stipulates that recruitment fees cannot exceed two months of salary, the Ministry allows for deductions beyond exceeding two months if agencies argue that the deductions are to pay for fees charged by overseas recruitment agencies. This loophole not only allows workers to be exploited, in some cases abused workers can end up leaving the country empty-handed after five or six months of work.

As an effort, the Ministry of Manpower and the Migrant Workers' Centre created a pre-departure video in 2014 that gives migrant workers information on workers' rights and entitlements, common recruitment malpractices and advice. This video is shown to workers in their countries of origin prior to departure. The government also mandates compulsory orientation programmes for employers of female domestic workers, and it has established hotlines where migrant domestic workers can receive information and assistance.



# THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

## DEBT BONDAGE



Research has found that migrant domestic workers are required to pay between SGD 2,000 – 4,500 (USD 1,506– 3,390) to agencies for a job in Singapore. This is often collected in the form of “loan” to the agencies by employers which is then deducted from the workers’ monthly salaries until the full amount is recovered. Depending on the salary and the size of the loan, this can take up to six to eight months of salary deductions. This creates a situation of debt bondage where migrant domestic workers end up working without pay or for minimum pay for months.<sup>16</sup>

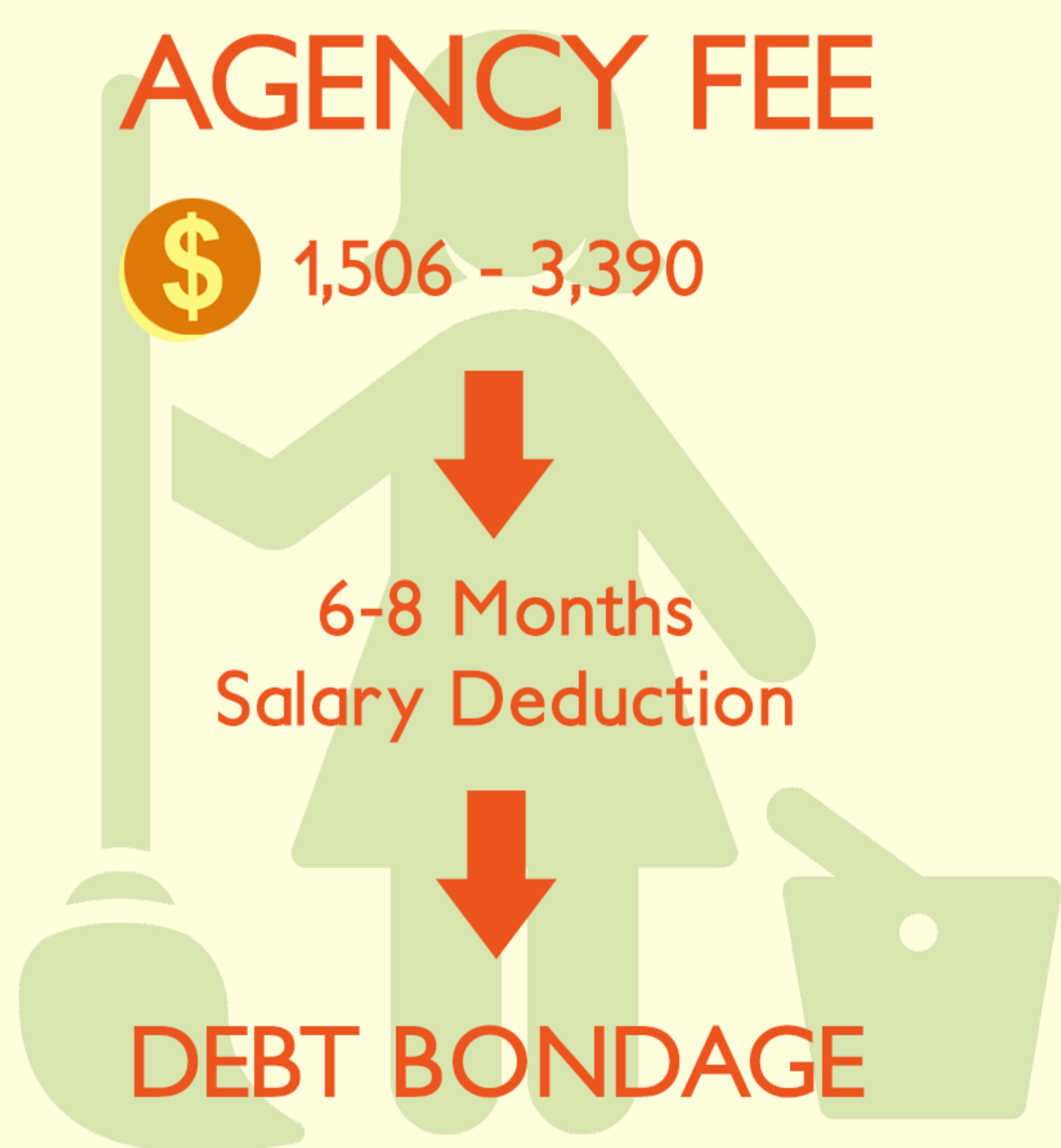
Furthermore, the legal fee cap only applies to employment agencies in Singapore and doesn’t apply to overseas partner agencies or associated costs such as training and medical examinations prior to departure. This leaves semi-skilled workers vulnerable to large debts even before they arrive in Singapore.

## AGENCY FEE

\$ 1,506 - 3,390

6-8 Months Salary Deduction

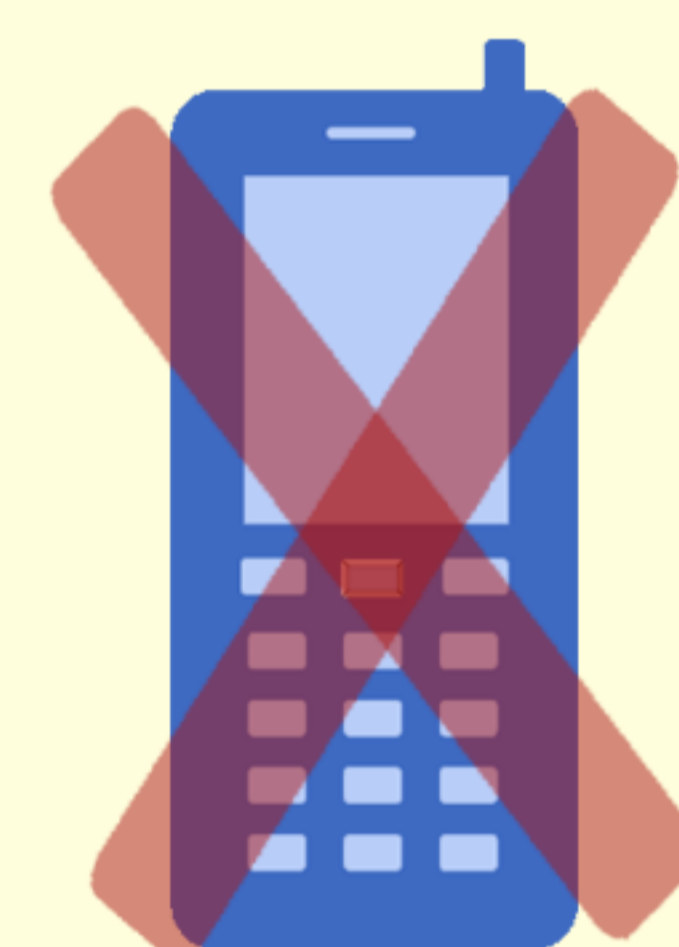
DEBT BONDAGE



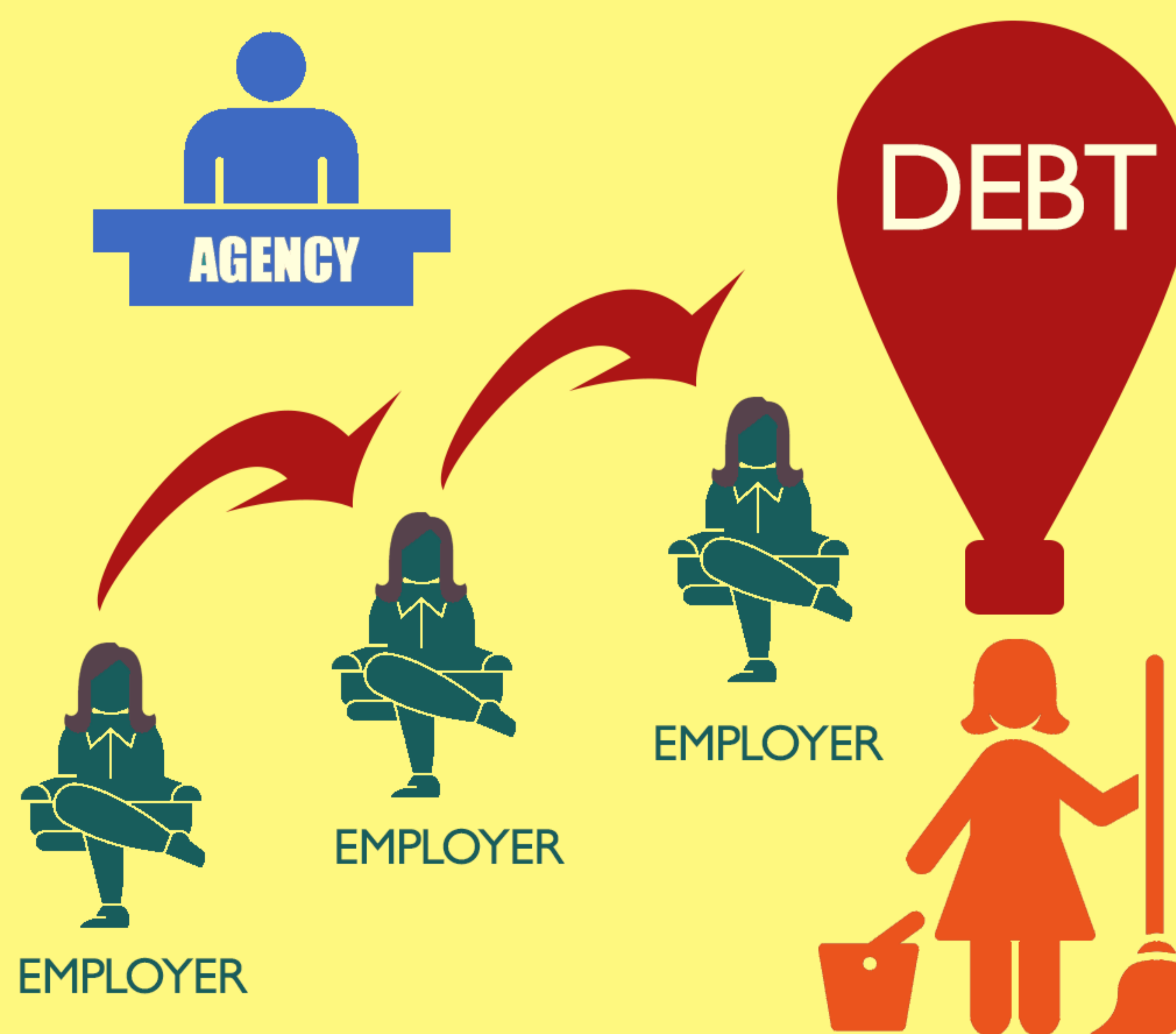
Migrant domestic workers also often have their passports confiscated. Ambiguity in Employment Agencies Rules allows for “reasonable excuse” under which passports can be withheld for an indeterminate amount of time. Due to the “loans” granted by employers or employment agencies to workers, employers can impose additional restrictions such as denying workers rest days and restrict their use of mobile phones.



REST DAY



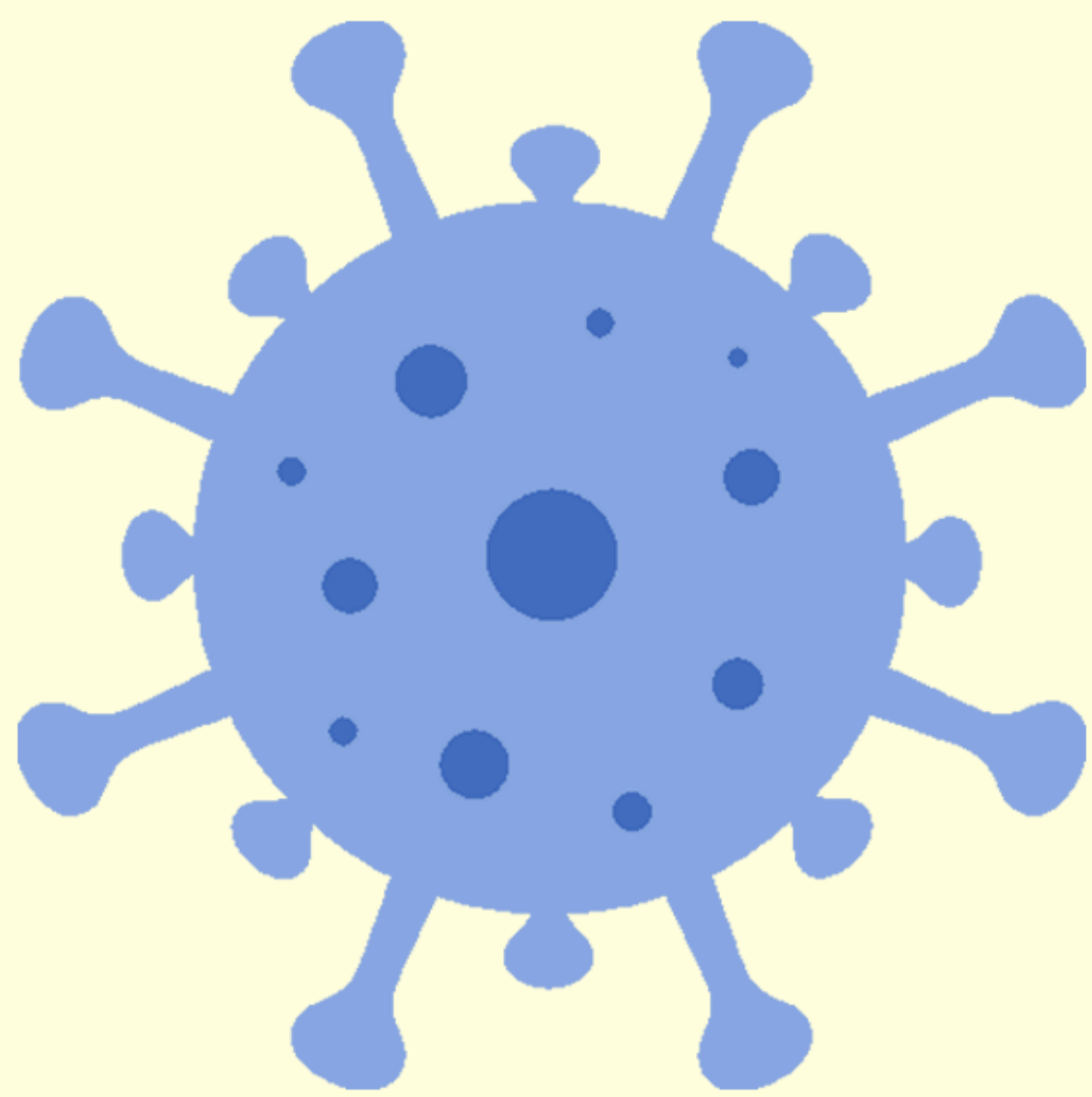
Migrant workers are further exploited by agents if they wish to switch to a new employer. Agents often pressure workers to endure bad working conditions in a job until they have paid off their “loans”. If they do help workers switch employers, then they charge additional work placement fees which adds to the debt burden of migrant workers. In fact, migrant domestic workers may be transferred by agents from employer to employer, leading to a ballooning of debts that are difficult or impossible to pay off. In one case documented by HOME, a domestic worker from Burma/Myanmar saw her six-month loan inflated to 17 months as she had three different employers in five months.<sup>17</sup>



# THE STATE OF 'DECENT WORK' FOR WOMEN MIGRANT WORKERS

## IMPACT OF COVID-19

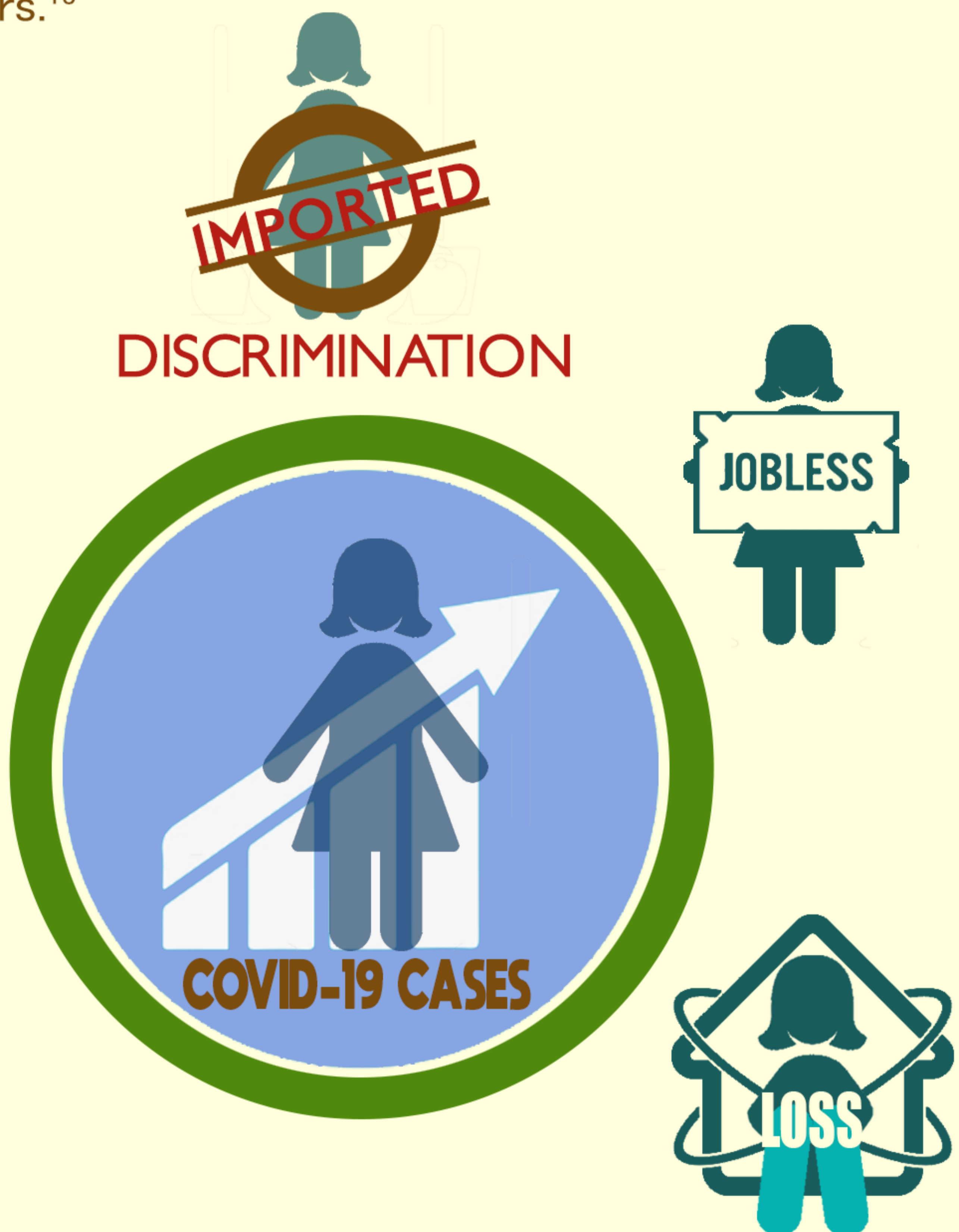
### PANDEMIC ON WOMEN MIGRANTS WORKERS IN SINGAPORE



The COVID-19 pandemic shone a spotlight on the inequality faced by migrant workers in Singapore. Between April and May 2020, while Singapore largely had succeeded in flattening the curve, the number of confirmed COVID-19 cases skyrocketed in migrant worker dormitories where workers lived in cramped conditions that made social distancing impossible. The approach taken by the Singaporean government towards the outbreak in migrant dorms, including the way they were reported – referring to them as “imported” rather than community cases – highlighted the deep discrimination faced by migrant workers.<sup>18</sup>

While the dormitory incident mostly affected male workers, women migrant workers also faced discrimination and hardship during the pandemic. Many domestic workers lost their jobs due to fear of COVID-19 transmission. Domestic workers who had live-in positions lost their accommodation and their work permit as these are tied to their specific employer.<sup>19</sup>

Domestic workers who didn't lose their jobs, especially those with live-in positions, faced increased risk of violence. In Singapore, AWARE women's helpline received 33 per cent more violence related calls in February 2020, compared to the same month in 2019. However, these numbers are very likely to be under-reported for domestic workers as only 47 per cent of employers in Singapore allow migrant domestic workers to have access to their phones.



INCREASED RISK OF VIOLENCE



WOMEN'S HELPLINE

UNREPORTED  
CASES  
CASES  
CASES

DUE TO LIMITED ACCESS TO PHONES

# LAW AND POLICIES ON MIGRANT WORKERS' RIGHTS

The Ministry of Manpower is responsible for developing and implementing labour policies for the workforce in Singapore, including migrant workers.

The two-tiered labour migration policy in Singapore means that skilled and semi-skilled workers are regulated under different sets of laws and policies: skilled migrant workers are covered under the Employment Act and Work Compensation Act, similar to Singaporean workers; while semi-skilled workers are governed by the Employment of Foreign Manpower Act and Employment of Foreign Manpower Regulations (2012), which stipulate much more restrictive rules on insurance coverage, medical examination requests and accommodation among others.<sup>20</sup>

## WORK PERMIT

Professionals and skilled workers do not require a work permit to work in Singapore, but hold an Employment Pass or Special Pass depending on the salary and level of education.

Semi-skilled workers require work permits, which subjects workers to very restrictive conditions. They are only permitted to work within the industry and for the employer stipulated on their permit. Termination of employment of migrant workers results in cancellation of their permit, which requires them to leave the country within seven days.

Migrant domestic workers are only permitted to work and live at the location designated on their work permit.

## PAYMENT OF WAGES

The Ministry of Manpower stipulates that employers must pay wages to their foreign workers no later than seven days after the end of a month. The amount of the fixed monthly salary has to be included in the work permit. While the ministry “suggests” periodic salary adjustments to reward workers for good performance, this is not mandatory and no particular suggestion is made on the amount of salary increase.<sup>21</sup>

## DEDUCTION OF WAGES

Deductions from wages by the employers for hiring costs or renewing work permits is illegal under the Employment of Foreign Manpower Act. However, civil society groups have found that wage deductions happen regularly for things such as the foreign worker levy, work permit renewals, recruitment agent fees, insurance premiums, safety effects, breach of contract, etc. Employers are known to demand sums of SGD 1,000 to SGD 2,000 (est. USD700 to USD1,500) to renew a migrant worker’s work permit when it is about to expire.



# LAW AND POLICIES ON MIGRANT WORKERS' RIGHTS

## LIVE-IN REQUIREMENT

It is compulsory for foreign domestic workers to live with their employers. This opens them up to overwork, sexual exploitation, physical and emotional abuse by employers. A survey by HOME found that around 40 per cent of domestic workers work over 16 hours/day and 67 per cent reported that their passports were confiscated by their employer.<sup>22</sup>

## REST DAYS, SICK DAYS AND ANNUAL LEAVE

Both local and foreign workers are covered by the Employment Act, except domestic workers and seafarers. Consequently, domestic workers are not entitled to core labour rights such as limitation on working hours, entitlements to annual leave and sick leave.

## MEDICAL EXAMINATION

Women migrant workers are required to undergo medical examinations every six months to test for pregnancy and infectious diseases such as syphilis, tuberculosis and HIV/AIDS. If the migrant worker fails the test then she is required to be sent home immediately.<sup>23</sup>

## PATH TO CITIZENSHIP

Path to citizenship is open for skilled migrant workers only, and not semi-skilled migrants.<sup>24</sup>

## DEPENDENTS

Migrant workers must earn at least SGD 4,000 (USD 3,150) a month in order to sponsor their dependents' stay in Singapore. This effectively means that semi-skilled workers are not able to bring their family to Singapore.

# STATUS OF RATIFICATION OF INTERNATIONAL INSTRUMENT AND CONVENTIONS

NAME	ADOPTION STATUS
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR)	✗
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR)	✗
INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (ICERD)	✓
CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)	✓
INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES (ICMW)	✗
ILO 29 FORCED LABOUR CONVENTION	✓
ILO 87 CONVENTION ON FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE	✗
ILO 97 MIGRATION FOR EMPLOYMENT CONVENTION	✗
ILO 98 CONVENTION ON RIGHT TO ORGANISE AND COLLECTIVE BARGAINING	✓
ILO 100 CONVENTION ON EQUAL REMUNERATION	✓
ILO 105 ABOLITION OF FORCED LABOUR CONVENTION*	✗
ILO 111 DISCRIMINATION IN EMPLOYMENT AND OCCUPATION CONVENTION	✗
ILO 143 MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION	✗
ILO 156 WORKERS WITH FAMILY RESPONSIBILITIES CONVENTION	✗
ILO 181 ON PRIVATE EMPLOYMENT AGENCIES CONVENTION	✗
ILO 183 MATERNITY PROTECTION CONVENTION	✗
ILO 189 DOMESTIC WORKERS CONVENTION	✗
ILO 190 VIOLENCE AND HARASSMENT CONVENTION	✗

✓ Ratified

✗ Not ratified

\* Denounced on 19 April 1979

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