

LABOUR TRAFFICKING

“SINGAPORE’S EMPLOYMENT AND LEGISLATIVE FRAMEWORKS FOR FOREIGN WORKERS AND FOREIGN DOMESTIC WORKERS CREATE AN ENVIRONMENT THAT COULD LEAD TO UNINTENTIONAL LABOUR TRAFFICKING.”



Unlike sex trafficking, which is commonly perpetrated by organised transnational crime syndicates, labour trafficking of foreign domestic workers and foreign workers could exist in Singapore as it usually takes place under the cover of activities that seem legal or enjoy widespread social acceptance.

Employers and employment agencies will often not realise that they are complicit in the trafficking process.

As of end-2012, Singapore has 950,000* foreign workers, of which about 200,000 are foreign domestic workers (FDW), 300,000 are construction workers, and 450,000 in other sectors.

In 2011, the Ministry of Manpower reported 67 cases with elements of labour trafficking. In 2012, this number went up to 72. Not unlike sex trafficking, these numbers do not paint a clear picture of the situation in Singapore, as it is severely under-reported.

FOREIGN WORKERS	DEC 2010	DEC 2011	DEC 2012^P
FOREIGN DOMESTIC WORKER	201,400	206,300	209,600
CONSTRUCTION	248,100	264,500	293,400
OTHERS	421,700	437,800	449,100
TOTAL	871,200	908,600	952,100

*Source:

<http://www.mom.gov.sg/statistics-publications/others/statistics/Pages/ForeignWorkforceNumbers.aspx> ^PPreliminary

UNINTENTIONAL LABOUR TRAFFICKING OF FOREIGN DOMESTIC WORKERS



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According to referencing indicators for identification of trafficking provided by the United Nations Office on Drugs and Crime (UNODC) and the International Labour Organisation (ILO), these characteristics of FDW employment in Singapore makes FDWs vulnerable to be trafficked into domestic servitude:

EXCLUSION FROM SINGAPORE'S EMPLOYMENT ACT

Unlike other foreign workers, FDWs are only protected by the less rigorous requirements of the Employment of Foreign Manpower Act and its secondary legislation. Also, they work in private homes, where work is less visible and are hence more vulnerable to abusive practices and discrimination in terms of work and employment conditions.

RECRUITMENT AGENT MALPRACTICE

Some agents withhold their clients' passports or deceive them about work conditions. These FDWs eventually enter into arrangements that result in their exploitation as 'willing parties', because their main goal is to earn money for their families back home.

DEBT BONDAGE

FDWs often owe their employer or agent a considerable sum for the initial cost of the air ticket and recruitment fees. They are expected to work this debt off through salary deductions over a few months, sometimes more.

It forces them to be bonded to a single employer for a long period, and makes the FDW think she has no choice but to continue working, even under exploitative conditions – all in the hope that she will be able to avoid negative repercussions and eventually earn some money to send home.

EXPLOITATION OF VULNERABILITY

Most FDWs are lowly educated and have little or no understanding of contracts. Their financial difficulty and family problems also contribute to their vulnerability and willingness to accept whatever employment arrangements are made, even if the terms and conditions are not favourable to them.

Even the introduction of a mandatory day off every week beginning in January 2013 has not changed the situation very much, as a survey of recruitment agents revealed. Over 70% of employers opted for compensation in lieu, which means most FDWs do not have the power to negotiate with their employers for a day off, largely due to their indebtedness on arrival.

COERCIVE PRACTICES

The imposition of debt obligations upon FDWs is itself a means of coercion, as they are led to believe that they are not able to leave their employment prior to complete repayment of the debt.

Additionally, some FDWs are also subjected to the following coercive practices in terms of their working and living conditions:

- *Wide-ranging yet non-defined duties, i.e. the worker is essentially at the employer's disposal*
- *Long working hours – some women are even on duty 24 hours a day!*
- *Inappropriate work management techniques, including verbal violence and restriction of movement*
- *Non/low payment, or withholding of wages*
- *Accommodation that lacks comfort and privacy*
- *Inadequate food*
- *Restrictions on social life and cultural habits, sometimes intended to prevent FDWs from forming relationships that may cause problems (e.g. boyfriends, pregnancy)*

In more serious cases, some FDWs have even been:

- *Threatened with police reports, repatriation or blacklisting to prevent future employment*
- *Forced to give massages to employers or work illegally in multiple locations*
- *Made to adopt unsafe work practices, such as cleaning the outside of windows on high floors without any safety precautions*
- *Confined and kept under watch, with restricted phone and face-to-face communication*

This happens because FDW employers have to post a security bond, which they will lose if their FDW violates the terms of their work permits. This is also what causes employers to confiscate their passport, impose restrictions on their movement and offer compensation in lieu of a day off.

source : "Behind Closed Doors: Trafficking into Domestic Servitude in Singapore" (The Equal Rights Review, Vol. Ten (2013)), Libby Clarke



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A similar situation exists for other foreign workers. Most of the abovementioned situations that contribute to unintentional labour trafficking, namely recruitment agents' malpractices, debt bondage, abuse of vulnerability, exploitation are also present in the employment of some foreign workers in Singapore.

Though Singapore's Employment Act covers "... every employee who is under a contract of service with an employer except foreign domestic workers, seamen...", many foreign workers do not have a contract of service, which makes them very vulnerable to becoming a trafficked victim. Just like FDWs, their position of indebtedness, lack of understanding of employment situation in Singapore creates the belief that they have no choice but to continue to work despite the exploitative conditions.

WHAT CAN I DO?

If you encounter a situation where possible labour trafficking or foreign worker exploitation is taking place, you could help by asking questions, finding out more about the situation and/or reporting it to the authorities. These workers are no different from us, with families back home to take care of. Every little bit of help rendered makes a difference.