



Hong Kong Federation of Asian Domestic
Workers Unions
(Affiliated to HKCTU)

香港亞洲家務工工會聯會 (職工盟屬會)



Domestic Workers Movement in Hong Kong



Who are we?

- FADWU comprises of unions of **local and migrant** domestic workers with different nationalities (Thai, Chinese, Filipinos & Nepalis).
- Affiliated to HKCTU (Hong Kong Confederation of Trade Unions), an independent trade union organization in Hong Kong also affiliated to IDWF.
- We aim at organizing all domestic workers in solidarity to fight for our rights and collective bargaining power.
- Currently, FADWU has 5 affiliates with members from 4 nationality. Membership around 1200.

OUR Mission

- Organize all domestic workers in Federation
- Enhance protection and working condition of Domestic Workers in Hong Kong as well as in Asia region



Migrant Domestic Workers situation

- Over 350,000 Migrant Domestic Workers in Hong Kong
- Around 10,000 Local Domestic Workers
- From the Philippines, Indonesia, Thai and South Asian such as Nepal, India, Sri Lanka, Burma

Is HK A Better place for migrants?

- Some says HK is already the best place for Migrant Workers. Because we have:
- Standard employment contracts
- Covered by employment ordinance

“Modern Slavery”



Case : Erwiana Sulistyaningsih

- Suffering abuse at the hands of her employer while working as a domestic helper in Hong Kong
- Erwiana was physically abused for a period of 8 months
- She was made to sleep on the floor, work 21 hours per day, and was not permitted a day off.
- The case exposed by Indonesia Media

Action to support Erwiana

- 4,000 WORKERS RALLY TO HK GOV (MIGRANT AND LOCAL ORGANIZATIONS)



Workers Real Condition

- Long Working Hours all of us work for **16** hours per day or more
- Abusive work place
- Physical abuse and sexual harassment
- Immigration issue
- Two weeks rule and live-in policy
- Agencies Exploitation
- Illegal agency fees - Debt bondage

Agencies Exploitation

- There is law to monitor on employment agencies in Hong Kong
- Hong Kong: 10% of first month salary (around \$441)
- Philippine: No placement fees 菲律賓：禁止收取中介費
- However, the laws are not implemented.
- Reality: \$8000 – 15000

Our research on agency fee issue



Our research on agency fee issue

- We have a team of Workers researcher
- PLU Researcher team interviewed 68 Philippine workers in Hong Kong.
- Report launched at OCT 2016.

Our research on agency fee issue

- 84% of the Filipino migrant domestic workers interviewed paid an average of PHP52,644 (US\$1,135) in fees.
- In addition, agencies in the Philippines frequently force experienced domestic workers to undergo unnecessary training in order to increase their profits.

- In Hong Kong, where employment agencies are only allowed to charge 10% of the domestic workers first month's salary or HK\$441 (US\$56),
- the average paid by interviewees was HK\$11,321 (US\$1,459) or the equivalent of more than 25 times the legal limit.

Problem of the HK government

- Lack of supervision and Light punishment are the reasons for agencies not to obey the laws.
- The maximum penalty for violating the limit of agency charges in Employment Agency Ordinance is merely a fine of \$50,000 and no imprisonment.

- Agencies found guilty at court only have to pay \$9,000 and \$30,000. Such light punishment cannot reflect the seriousness of the crime of forcing migrant domestic workers to work for loans.



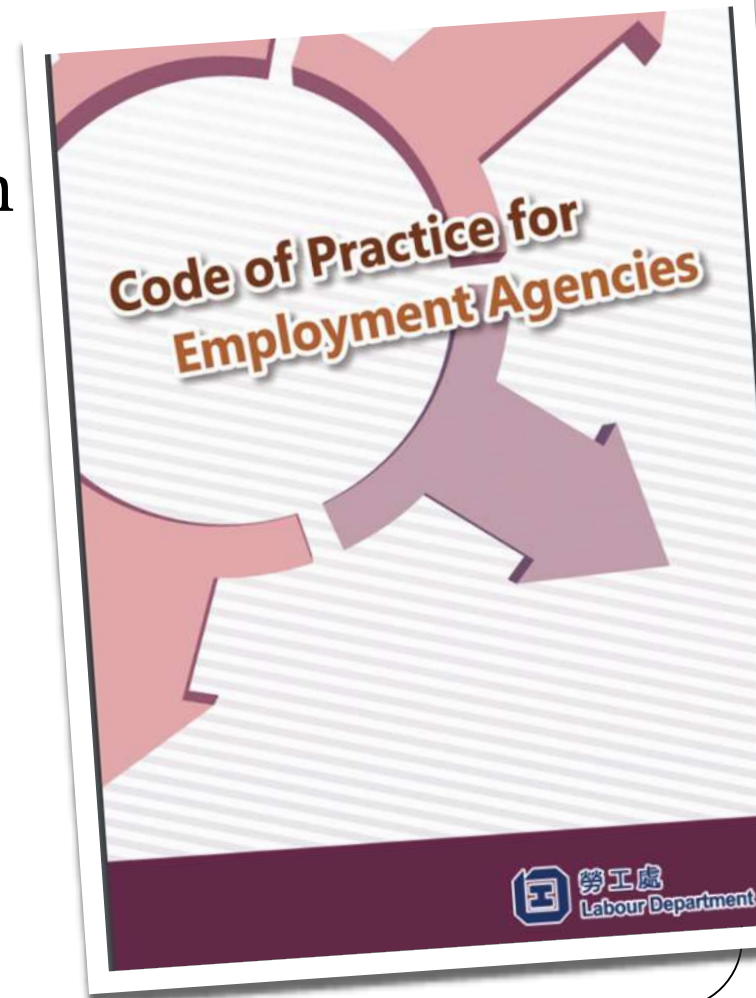
Fighting against Agencies Exploitation

- We have won three court case against overcharging in 2016 to 2017.



Fighting against Agencies Exploitation

- The government promulgated “Code of Practice” in January 2017
- Policy change to strengthen monitoring of agencies
- Adopted a majority of advice by the union.



Fighting against Agencies Exploitation

- An amendment of the “Employment Agency Regulation”, proposing an increment of penalty against charging illegal agency fees, is on the process in LegCo.
- Maximum fine is HK\$50,000 to a maximum fine of HK\$350,000 and 3 years sentence in prison.

Fighting against Agencies Exploitation

- The union participated in LegCo public hearing to put forward our demands.
- Case period is extended from 6 months to 1 year because of FADWU



Two weeks rule and live-in policy

- Two weeks rule and live-in policy are two policies discriminate against migrant workers.
- Migrant Domestic Workers are forced to live with their employer, Workers has no place to go while they are forced to live in the workplace, and it makes more chance for them to be abused in a private household.

- The two weeks rule required MDWs to leave Hong Kong beyond termination of contract. regardless of whether the contract is terminated by the employer or the foreign domestic worker.
- The mandatory live-in policy is currently under challenge at the High court, on the basis of potential violation of the Immigration Ordinance, the Bill of Rights, and Basic Law.

- Two weeks rule and live-in policy discouraged workers to file complaints against exploitative employers or agencies as they cannot earn a living here in Hong Kong.



「兩星期規定」= 不合理條款
外傭在終止合約後兩星期內必須找到新工作，
否則就要離開香港

離開現有僱主即等於失去工作

無力償還現有貸款

如遇與僱主、中介公司的糾紛，留港申訴成本鉅大。

既不能工作賺取收入，又要負擔在港開支。



Long working hours and low wages

- According to our research, most domestic workers work 12-16 hours a day.
- In January 2017, the Standard Working Hours Committee (SWHC) submitted a report to the government with a scheme excluding the domestic workers.

- MDWs are excluded in rights entitled in Employment

Ordinance including the legal minimum wage and explicitly excluded in contract working hours in the standard employment contract.



“Working Hours policy Framework”
exclude live-in domestic workers
Migrant and local workers united for
Standard working Hours!

工時框架排除留宿家務工
三十五萬外傭永無放工時間
要標準工時 要人人有份



Working condition

- UNDW sister have done a survey on working condition of Nepalese domestic workers in Hong Kong
- Survey shows that 44.8% Nepalese domestic workers in Hong Kong are underpaid.
- with the lowest paid interviewee got \$1,700 monthly wage

WE DEMAND

政府應多向尼泊爾及所有家務工宣傳及教育合法權益
The Government to promote and educate legal right to Nepalese all domestic workers.

勞工處應調查在港南亞家務工的情況及加強執法
Labor Department should investigate the situation of South Asian domestic workers and actively enforce the law.

25/09/2016
尼泊爾家務工工會
記者招待會
UNDW
Press Conference

Result of Survey on working condition of Nepalese Domestic Workers in Hong Kong
尼泊爾家務工工作情況調查結果

- 59.3% 沒有二十四小時休息日
have no 24-hours full rest day.
- 44.8% 被削減工資
was underpaid.
最低月工資 \$1,700
The lowest monthly wage is \$1,700
- 52% 沒有十二天法定假期
do not get 12 statutory holidays in a year.
- 31.5% 沒有休年假
do not know about annual leave so they never request.

有些家務工不懂中文或英文，無法與僱主或有關當局溝通。因此，他們不知道自己的權利。
As some of them cannot speak Cantonese or English, they have no source of information. Over 90% of them said they are lack of knowledge on their own rights.

香港性平聯盟呼籲
尼泊爾家務工也需大家的關注!
Not only filipinhines and Indonesian domestic workers need your attention, but also nepalese!

Employers Education : MY FAIR HOME

- To educate Employers about their responsibility, we launch global campaign with IDWF: MY FAIR HOME
- We launch a booklet for employer to follow
- Organize talks to employers
- Encourage employers to fight against bad agencies with workers.

Lawmaker supporting : MY FAIR HOME

- After publishing the report “Between a rock and a hard place”, the union rushed to meet with Legislators to lobby their support of the issue and ensure the voice of union can be heard in the LegCo, in an attempt to push the movement forward in the LegCo from beyond.

打擊黑中介！譚文豪都撐！
No to Overcharging !

我撐 !!!
家務工自己護照自己KEEP
I support domestic workers to
keep their own passport ✓

我撐 !!!
家務工投訴黑中介 ✓
I support domestic worker
to complain unfair agencies ✓

我撐 !!!
家務工投訴黑中介 ✓
I support domestic worker
to complain unfair agencies ✓

監管中介 僱傭雙贏
立即支持公平之家約章
Sign the My Fair Home pledge NOW !

- They all agreed that we can no longer tolerate the exploitation of domestic workers by employment agencies and signed the “My Fair Home” Charter to support domestic workers’ resistance against unscrupulous agencies.
- In the Panel on Manpower meeting on February 2017, they voiced for the domestic workers and assisted the union to question the government and followed up the request by the union.



Mayday rally



Domestic workers Day



Migrant workers day





We organize. We fight. We win.