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IS THE LIVES OF MIGRANT WORKERS THE PRICE OF POLICY CHANGE?

Lessons from 20 years of activism
for rest days for MDWs in Singapore

THE LORRY CONTROVERSY

A Recap:

Recently, two public statements were issued by almost 100 civil society signatories calling for urgent reform to ban the use of lorries to transport workers after two traffic accidents involving lorries ferrying migrant workers led to more than 30 people being taken to the hospital.

Earlier in July 2023, MP Louis Ng filed an adjournment motion in Parliament calling for the government to plot a timeline to ban the use of lorries to transport workers. Senior Minister of State for Transport Amy Khor, however, dismissed the ban as “not a realistic solution”.

What will it take for the Singapore government to do the right thing and put people over profits and convenience? CAPE turns to another migrant workers’ issue that took the government **twenty years** to come around on.

MANDATORY REST DAYS FOR MIGRANT DOMESTIC WORKERS ONLY TOOK EFFECT IN 2023...

20 YEARS

...AFTER ADVOCACY BEGAN IN 2003

From 1 January 2023, all employers must provide their migrant domestic workers (MDWs) at least one rest day a month that cannot be replaced by a paid work day.

However, the campaign for mandatory rest days for MDWs started **twenty years earlier**, in 2003 when The Working Committee 2 (which later renamed itself as Transient Workers Count Too) launched the 'Sundays Off' campaign.

Mandatory rest days are an important labour protection that ensures that MDWs, who primarily live with their employers, are able to seek help in abusive situations and enjoy some respite from work.

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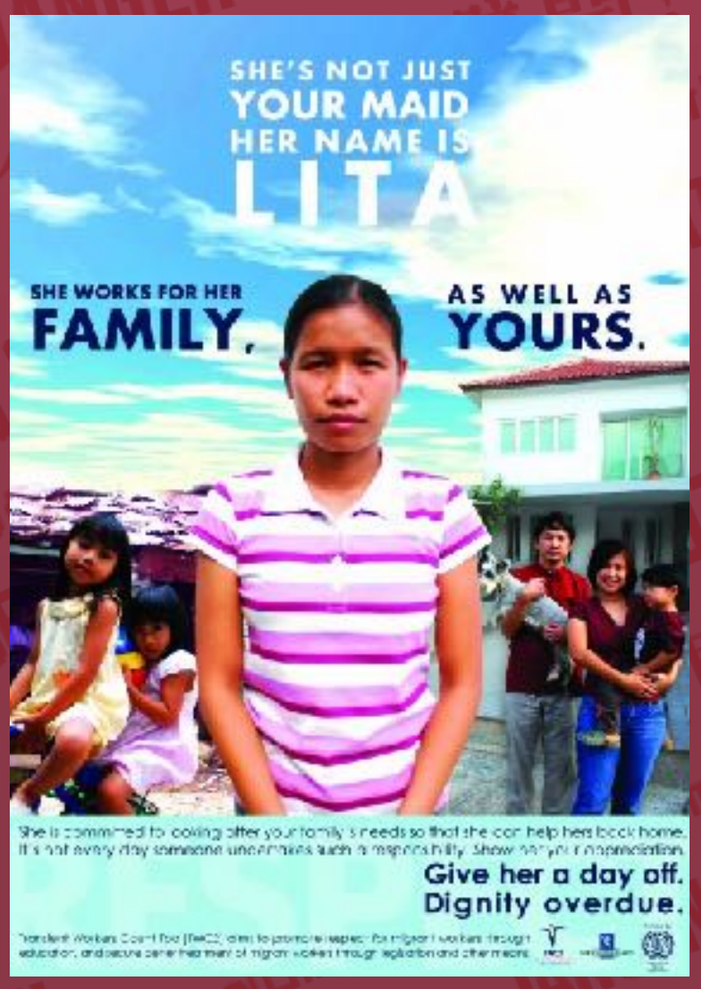
THE ‘DAY OFF’ CAMPAIGN

Back in 2003, Singapore society was outraged by the violent abuse and death of Muawanatul Chasanah, a 19-year-old Indonesian domestic worker, at the hands of her employer. In response, TWC2 argued that having access to days off would allow workers an opportunity to seek help.



In 2007, TWC2, HOME and the Singapore Committee for UNIFEM launched a campaign to advocate for legislated mandatory rest days for MDWs.

In rejecting the policy proposal, MOM issued a press statement, noting that “the number of reports of abuse has remained very small, at around 0.04% of the total FDW population”.

“UNIQUE NATURE OF DOMESTIC WORK”

In response to calls by other parliamentarians to legislate mandatory rest days in 2008[1] and 2009,[2] then Manpower Minister Gan Kim Yong repeatedly rejected doing so and claimed that allowing employers to stipulate the number of rest days was “a more sensible approach… given the unique nature of domestic workers”.

He also said that there was “no need” to legislate a mandatory rest day because “the reported cases of abuse have remained low”.

“NEITHER PRACTICABLE NOR PRODUCTIVE”

Do these justifications sound familiar?

In the Ministry of Transport’s response to MP Louis Ng’s call to ban the use of ferries, Senior Minister of State for Transport Dr Amy Khor explained that such a ban is “not a realistic solution” and it is “neither practicable nor productive” for businesses to use different vehicles to transport workers, equipment and goods.[3]

In a subsequent multi-agency statement, the government also cited statistics that lorry-related accidents constituted only 4% of total annual injuries from road traffic accidents and the average number of fatalities between 2018 and 2022 was around 3 a year.[4]

WHAT MADE THE GOVERNMENT U-TURN ON MANDATORY REST DAYS?

On October 2011, a shift in position emerged when then-Manpower Minister Tharman Shanmugaratnam announced in that the government would consult with stakeholders on the issue.[5] A few months earlier, in April 2011, Myanmar MDW Cawi Nei Mawi had taken her life; according to a friend's eulogy, she was not permitted any day off and could not bear the loneliness of being "imprisoned".[6]

Soon after, in March 2012, then Minister of State for Manpower Tan Chuan-Jin announced that a weekly day off would be mandated for migrant domestic workers though employers would be given the flexibility to offer compensation in-lieu of a rest day.

MOUNTING EVIDENCE-BASED ADVOCACY

In 2015, TWC2 published a study on the effectiveness of the mandatory rest day and found:[7]

33%
of MDWs received only 1 or no days off per month

56%
of MDWs did not receive compensation in lieu of their days off

Subsequently, in 2019, TWC2 published another research report on the difficulties MDWs faced in obtaining day offs and urged the government to make two rest days a month non-tradeable.[8]

A 2020 journal article by Margaret Schumann and Anju Paul also found that MDWs often have to submit to fewer rest-days to safeguard their employability and mobility.[9]

AND FINALLY, THE GOVERNMENT BUDGES

In July 2021, the government finally announced that employers must provide MDWs with at least one rest day that cannot be compensated away.[10] According to Minister of State for Manpower Gan Siow Huang, this rule change would"provide MDWs with opportunities to rest and recharge from work, and to form a network of support outside the household".[11]

However, as TWC2 observed,[12] the timing of this policy u-turn is notable: it was announced a month after Gaiyathiri Murugayan was sentenced to 30 years' imprisonment for repeatedly abusing and ultimately killing 24-year-old Myanmar MDW Piang Ngaih Don.[13]

An Asia Research Institute article on the earlier 2016 weekly rest days reform suggests, **safeguarding Singapore's international reputation** and **attractiveness of the country as a destination of work for MDWs** remain key factors in achieving policy U-turns – in addition to NGO advocacy.[14]

NOW, WHAT WILL IT TAKE TO LEGISLATE AGAINST THE USE OF LORRIES TO FERRY WORKERS?

One life lost is one too many to engender policy change in Singapore. Unfortunately, according to Migrant Death Map,[15] there have been many more deaths and injuries as migrant workers continue to be transported with lorries:

- At least 25 migrant workers killed or injured in lorry-related accidents between 2001 and 2007 including:
  - Two workers died within a week of each other in May 2006
  - 1 worker killed and 12 injured after they were flung out of lorry in 2007
- 3 Chinese nationals killed after overloaded lorry overturned in 2010
- At least 12 deaths and 46 injuries from lorry-related accidents between February 2012 to August 2013
- 2 workers killed and 25 injured in two separate accidents in

April 2021

HOW MANY MORE LIVES WILL IT COST BEFORE SINGAPORE TAKES ACTION?

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WHAT WILL IT TAKE TO LEGISLATE AGAINST THE USE OF LORRIES TO FERRY WORKERS?

113

One life lost is one too many to engender policy change in Singapore. According to Migrant Death Map, there have already been 113 migrant worker deaths and injuries from lorry transportation accidents between 2001 and 2021.[15]

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