

EMPLOYING FOREIGN DOMESTIC WORKERS

A Guide For Employers

CONTENTS

Section I

- Part 1 Introduction
- Part 2 Approved Source
- Part 3 Employer's Responsibilities
 - * Employment Contract
 - * Wages
 - * Medical Care
 - * Accommodation
 - * Rest
 - * Employment Disputes
 - * Abuse of Foreign Domestic Workers
 - * Illegal Employment / Deployment of Foreign Domestic Worker
- Part 4 Foreign Missions' Requirements
- Part 5 Repatriation / Missing Workers
- Part 6 Decide Carefully Before Recruiting A Foreign Domestic Worker
- Part 7 Final Advice

Section II

- Part 1 Requirements and Procedures for Employing a Foreign Domestic Worker
- Part 2 Employer's Responsibilities and Obligations
- Part 3 Procedures and Guidelines for Cancellation of Work Permits
 - A Cancellation of Work Permit of Foreign Worker Before Her Departure from Singapore
 - B Guidelines for Employers of Foreign Domestic Workers Who Are Returning to Their Country for Home Leave

Section I

1 Introduction

More than 100,000 foreign domestic workers work in Singapore. By helping out with household chores and bearing part of the responsibility for caring of our children or elderly sick, these domestic workers often relieve Singaporean women for the workplace and help contribute to Singapore's economy and the well-being of families. Most of them enjoy a happy working relationship with their employers and find Singapore an enjoyable place to work and live in. Because they come from a different country, their social and cultural ethos may differ from us. Hence, as employers, we want to better understand them so that together, the relationship will be a mutually happy one.

We hope that this comprehensive guide will enable you, as an employer, to develop a close and cordial working relationship with your foreign domestic worker (herewith known as the 'worker'), based on mutual respect and understanding. In addition, we have also highlighted some important work permit requirements for your easy reference.

2 Approved Source

The Foreign Domestic Worker Scheme allows employers to employ foreign domestic workers from approved sources such as Malaysia, the Philippines, Indonesia, Thailand, Myanmar, Sri Lanka, India and Bangladesh.

3 Employer's Responsibilities

Understand and Train them Many foreign domestic workers come from the rural areas of their home countries. They may have never lived or worked in a city before and may have difficulty understanding and communicating in your language. Being new, they will need a period of orientation and adaptation to be familiar with your household habits and way of life. Some common difficulties include:

- * the use of modern household appliances such as washing machines and microwave ovens;
- * adjustment to living in high rise buildings; and
- * different practices in child-rearing.

As the employer, you can help by spending time to orientate and train your new foreign domestic worker on her job, especially in the first few months of her employment.

Allow Open Communication Remember that your foreign domestic worker comes from a very different social, cultural and even religious background. She could be suffering from homesickness and loneliness from loved ones back home. As the employer, help her by letting her communicate with her family and friends in her home country, especially via mail to help alleviate her homesickness and the sense of isolation.

Family Integration As far as practicable, integrate her into your family since she will stay in your home during her employment duration. Make an effort to understand her social, cultural and religious background. Be patient, tolerant and understanding when dealing with her. Patience and understanding will go a long way in minimising any disputes and conflicts that could affect her performance during her employment in your home.

As an employer, you are also responsible for the worker's general well-being including food, accommodation, basic necessities and medical care. She should be treated fairly and reasonably when you assign household duties to her. A happy and well-looked after worker will give you less trouble than one who is unhappy.

Employment Contract

To avoid misunderstanding, it is advisable for the employer like yourself to draw up an employment agreement/contract with your worker from the start of employment. The contract shall specify terms and conditions of work such as wages, rest days, medical benefits, scope of duties and other terms. The terms should be drawn up based on mutual agreement between you and your worker. Many employment agencies can assist employers in putting up such contracts with their workers. A set of proposed guidelines can be found at Page 20, Annex A. These guidelines are not exhaustive and any party may include other terms and conditions agreeable between you and your worker.

Wages

Wages should reflect the scope of work agreed upon. You can either pay your worker by cash or credit her wages directly into her bank account. To avoid any misunderstanding, it is important that the payment of wages be properly documented. One way is to open a bank account for your worker and credit all her wages into it. You should let her keep the bank account book. If by mutual agreement you are to keep the bank account book, she must be given access to the book to check that payments are credited regularly.

Where appropriate, you should consider giving your worker a periodic wage adjustment. This is to reward her for good performance and loyalty in service. Apart from monthly wages, you could also consider offering your domestic worker a contract gratuity. This sum of money, which is to be

negotiated between you and the worker, could be paid to her upon conclusion of an agreed period of employment, which should not be longer than the validity of her work permit. You will find that these incentives may result in a more motivated domestic worker who would serve her contract diligently and effectively.

Medical Care

As an employer, you are responsible for the medical benefits of your worker. Should she require medical treatment, including hospitalisation, you are required to bear the full cost of medical care. You are also required to provide personal accident insurance coverage for your worker. The minimum sum insured is \$10,000 and the beneficiary of the insurance should either be the worker herself, or her next of kin. It is a common practice for employers to have insurance coverage for hospitalisation expenses when providing for personal accident insurance for their foreign domestic workers. You should consider this when deciding on the appropriate insurance package to purchase.

Accommodation

Where possible, your worker should be given a separate room of her own. In the event that this is unavailable in your home, you should respect the need of the worker for privacy and ensure that sufficient private space for sleep is provided. You are also expected to provide basic needs such as a bed with mattress, a blanket, towels and bathroom amenities, and perhaps a fan if the room is small and lacks ventilation. Some examples of improper accommodation include: making the worker sleep on make-do beds at the corridor or in the living room with little privacy; and sharing a room with an adult of the opposite sex.

Rest

A well-rested worker is more productive and better adjusted. Hence, you should ensure that your worker has sufficient rest, especially during the night, and sufficient rest days, which is mutually agreed upon between you and the worker. Such rest should be in addition to any family trips and outings which you may take the worker on.

Employment Disputes

Disputes sometimes arise because of misunderstandings and differing expectations. When this happens, you should try to resolve the issue with your worker first. Even if there is suspicion that the worker has committed a misdeed or crime, you should not take matters into your own hands to mete

out physical or other punishment. If you need further help, you can contact your employment agency or the Ministry of Manpower. The MOM Foreign Worker Unit is located at Level 4, Ministry of Manpower, 18 Havelock Road. The Foreign Worker Unit helps to conciliate and resolve employment disputes between foreign workers and their employers. The conciliation service is provided free-of-charge. You or your foreign domestic worker may also wish to call the Ministry's helpline at Tel: 539 5298 should assistance be required. Please be assured that your request for assistance will not be held against you, unless you have committed an offence. Contact the Foreign Worker Unit at Tel: 539 5298.

Abuse of Foreign Domestic Workers

Foreign domestic workers are entitled to human dignity as well as fair treatment. The Government takes a serious view of employers who ill-treat or abuse their foreign workers. Such actions are cruel and inhumane, and they undermine Singapore's efforts to be a gracious society. Our international image as a country and as a people will be tarnished. Singapore's relations with foreign governments can also be seriously affected. Errant employers found abusing their foreign workers will be prosecuted in court and punished according to the law. Employers are reminded that those found guilty of committing an offence against their domestic workers face heavier penalties under the amended Penal Code. Employers and their spouses will also be blacklisted permanently from employing foreign domestic workers in future. Some of the offences and the associated penalties are listed below:

Offence -	Penalty
Voluntarily causing hurt *	Up to 1-year imprisonment or up to \$1,500 fine or both.
Voluntarily causing hurt by dangerous weapons or means*	Up to 5-year imprisonment or fine or caning or any 2 such punishments
Voluntarily causing grievous hurt*	Imprisonment of up to 7 years, and shall also be liable to fine or to caning.
Wrongful confinement *	Up to 1-year imprisonment or up to \$1,000 fine or both

Wrongful confinement for 3 or more days *	Up to 2-year imprisonment or fine or both
Wrongful confinement for 10 or more days *	Up to 3-year imprisonment and fine.
Word or gesture intended to insult the modesty of a woman *	Up to 1-year imprisonment or fine or both
Assault or use of criminal force to with intent to outrage modesty.*	Up to 2-year imprisonment or fine or caning or any 2 such punishments
Outraging of modesty	Imprisonment of up to 2-year or fine or both. Caning and imprisonment of between 2 and 10 years if hurt or fear of hurt is caused
Rape	Imprisonment of not less than 8 years and not more than 20 years, and caning with not less than 12 strokes.
Criminal intimidation	Imprisonment of up to 2 years of fine or both. Imprisonment of up to 7 years or more or fine or both, if threat is to cause death or grievous hurt.

* The Penal Code has been amended for these offences to raise the penalties.

Illegal Employment/Deployment of Foreign Domestic Workers

The foreign domestic worker is only permitted to work for the employer at the address as specified in her work permit. Under the Employment of Foreign Workers' Act, employers can be charged for illegally employing or illegally deploying a foreign domestic worker. The penalty for illegally employing a foreign domestic worker without a valid work permit is a fine of equivalent to between two to four years of the foreign worker levy, or imprisonment up to one year or both fine and imprisonment. For the second and subsequent convictions, the errant employer will face mandatory imprisonment. For illegal deployment of the foreign domestic worker, the penalty is a fine of up to \$5,000. In addition, the errant employer will be permanently debarred from employing a foreign domestic worker, and he risks losing his \$5,000 security deposit posted with the Ministry.

4 Foreign Missions' Requirements

The Work Permit Department will process and consider the approval of a work permit application so long as the foreign domestic worker has a valid travel document, is 18 years or older and satisfies the employment requirements. Some embassies however, impose further conditions/requirements on the employment of their nationals as domestic workers. For example, some embassies require employers and their nationals to enter into a standard employment contract drawn up by the embassy before renewing the foreign domestic workers' passports. Employers may also be required to put up a security bond with the embassy, which could be forfeited if employers fail to comply with the provisions of the contracts. You should consult your employment agencies for details of the embassies' requirements. These conditions set by the embassies are outside the purview of the Ministry of Manpower.

5 Repatriation / Missing Workers

As the employer, you are responsible for the repatriation of your worker since you brought her into Singapore. To ensure that employers repatriate their foreign domestic workers, employers are required to execute a security bond with the Work Permit Department for this purpose. Under the bond, you are required to post a security deposit of \$5,000 per worker. This deposit can either be made in the form of cash or a banker's or insurance guarantee. If you fail to repatriate the worker upon cancellation of her work permit, you risk losing the \$5,000 deposit.

Missing Worker If your foreign domestic worker has absconded, you are advised to cancel her work permit to stop your levy liability. You will then be given one month from the date of cancellation to locate and repatriate the worker, failing which your security deposit will be forfeited. However, if you are able to locate or help to locate the missing worker within the next three months, a refund can be considered.

When your worker runs away, she risks becoming an overstayer once the work permit is cancelled. As an overstayer, the worker can be fined and/or jailed before she is repatriated.

The security bond has been an effective mechanism to minimise the problem of missing foreign workers. Less than one in every 1,000 foreign domestic worker went missing since 1978. Experience suggests that most workers absconded because of poor management on the part of their employers or conflicts in the household. As an employer, it is in your interest to manage your foreign domestic worker carefully so as to minimise the risk of her running away.

6 Decide Carefully before Recruiting a Foreign Domestic Worker

We would like to advise you to seriously consider the decision in employing a foreign domestic worker. Keep in mind that there are other alternatives such as childcare centres, play schools, and homes for the old or invalid sick. You should consider if you are able to provide for, maintain and properly manage the worker during her stay with you. Please note that the foreign worker levy of \$345 per month will be reviewed annually and adjusted if necessary. There is also the additional risk that the worker may abscond and your losing the \$5,000 security bond. Furthermore, you are advised to take care in selecting your employment agency, placing premium on the agency's track record of reliable and honest service, and not just the lowest service fee. You should also carefully scrutinise the records and video-tapes, where available, of potential foreign domestic workers before employing them.

7 Final Advice

It takes time and effort to nurture and maintain a good working relationship between employers and their employees. When both parties decide from the start to make the relationship work, the likelihood of misunderstanding and dispute will be minimised greatly. This will save both you and your foreign domestic worker from going through the pain, unpleasantness and hassle that come with abuse, workers' running away, forfeiture of security bond and other problems.

We hope that the guide has been useful and encourage you to put the recommendations to practice.

The Ministry wishes you a pleasant and happy relationship with your foreign domestic worker.

The above information is also available on our website at <http://www.gov.sg/mom/>

Section II

1 Requirements and Procedures for Employing a Foreign Domestic Worker

The requirements and the procedures for employing a foreign domestic worker (FDW) are listed below:

A. Basic requirements

1. A foreigner who is on social visit such as on holiday or short term visit to Singapore is not allowed to apply for a work permit.
2. The foreign domestic worker must be at least 18 and below 50 years of age at the time of work permit application.
3. A foreign domestic worker can come into Singapore only after the employer has obtained an in-principle approval (IPA) letter from the Work Permit Department (WPD). The IPA serves as a temporary work permit and is valid for a period of 3 months. Once an IPA has been issued, the employer needs to furnish a security deposit of \$5,000 or to obtain a banker's or insurance guarantee of \$5,000. The Personal Accident Insurance (with a minimum sum of \$10,000) for the FDW can be obtained at the same time as the banker's or insurance guarantee. Once the guarantee has been purchased, this will be forwarded to the WPD before the employer may bring in the FDW.
4. Within 14 days of her arrival, the FDW must undergo a medical examination and be certified fit by a Singapore registered doctor. Thereafter, the worker is required to undergo 6-monthly medical screening for VDRL, pregnancy and HIV. Any foreign domestic worker who fails the medical examination will be immediately repatriated without exception.
5. A work permit is usually valid for 2 years, subject to the validity of the foreign domestic worker's passport. For a foreign domestic worker whose passport is valid for less than 2 years, the work permit will be issued up to one month from the date of expiry of the worker's passport. Similarly, a work permit will expire 2 months before the expiry of the banker's or insurance guarantee. It is thus very common for employers to purchase a guarantee with a validity period of 26 months or more.
6. The work permit can be renewed on a 2-year basis and the foreign domestic worker is allowed to work in Singapore up to 60 years old provided that she is medically fit for employment and she has not contravened any of the work permit conditions. The renewal letter will be sent to the employer 6 weeks before the expiry of the work permit.

7. The employer is required to pay a foreign domestic worker levy of \$345 per month. The levy is adjusted from time to time as a means of moderating the demand for such workers. Levy payment will commence one day after the foreign domestic worker's arrival in Singapore. This levy payment is to be paid via GIRO deduction. Payment through GIRO is compulsory. Contributions to the Central Provident Fund is not required.

B. Procedures for employing a foreign domestic worker who is currently not in Singapore

1. Application can be submitted electronically through the LabourNet or Internet. [Most employment agencies are LabourNet users.] The application forms are also available at the Work Permit Department (Information Counter), Ministry of Manpower, 18 Havelock Road, Singapore 059764 and can be submitted via the Quick Deposit Box located at the Ministry or through post. (Please do not attach original documents.)
2. All application forms must be accurately completed and the relevant documents enclosed. Please fill 'NA' for any part of the application form which is not applicable. Incomplete forms will not be accepted.
3. The employer will be notified of the result of the application by the next working day if the application is submitted through the LabourNet, or within 3 working days if made through Internet. For submission through the Deposit Box or post, the employer will be informed of the results within 7 working days.
4. Employers should only engage licensed employment agencies if they are employing foreign domestic workers through such agencies. Employers can check with the Employment Agencies Licensing Section, Ministry of Manpower, Telephone No: 539 5314 on the list of licensed employment agencies.

C. Procedures for change of employer for foreign domestic worker who is currently working in Singapore

1. Application for a change of employer for a foreign domestic worker will only be allowed after the current employer has collected the worker's work permit.
2. The application procedure for a change of employer is similar to that for an application for a foreign domestic worker who is not currently working in Singapore as in (B) above. Only the prospective employer need to make the application for the foreign domestic worker to be transferred. However, on the application form to be submitted by the

prospective employer, the current employer must complete Part IV of that application form to give consent to the transfer of the foreign domestic worker to the prospective employer. The application for change of employer will only be considered if the expiry date of the foreign domestic worker's work permit is not less than 1 month from the date of submission of the application.

3. If the foreign domestic worker's 6-monthly medical examination is due, the current employer must send the worker for the medical examination before the application for change of employer can be processed.

4. The current employer who intends to transfer his existing foreign domestic worker to a new employer must arrange for the transfer at least 4 weeks before the arrival of his new foreign domestic worker. Application for change of employment of the existing domestic worker upon arrival of the new domestic worker is not allowed.

5. Processing of application for transfer of FDW takes about 7 working days. Upon approval, the Work Permit Department will decide the date for the change of employer for the foreign domestic worker. Both the current and prospective employers will be notified of the date in the in-principle approval letter from the Work Permit Department.

6. It is illegal for the foreign domestic worker to start work with the new employer before the new work permit is issued.

D Procedures for renewal of foreign domestic worker's work permit

1. The work permit renewal notice for a foreign domestic worker is sent out 2 months prior to the expiry of the foreign domestic worker's work permit. The Employer may renew the work permit of the foreign domestic worker within 7 days of the expiry of her work permit e.g. if the work permit of the foreign domestic worker expires on 12 Dec 99, the employer can renew the work permit between 6 Dec 98 and 12 Dec 99.

2. To renew the work permit, the employer must submit the following:-

(a) a completed Security Bond Form and a \$5,000 insurance/banker's guarantee. If the work permit is valid for a period of 2 years, the insurance/banker's guarantee must be valid for 26 months. If the work permit is valid for a period of less than 2 years, the guarantee must be valid for the validity period of the work permit plus another 2 months. [Note: The commencement date of the Security Bond should be the same as that of the insurance/banker's guarantee and they should be valid on the day you submit them to us for verification]. This Security Bond requirement does not apply to Malaysian workers. Employers may also choose to use/extend the existing insurance/banker's guarantee for renewal of

work permit. There is no need to complete a new Security Bond Form in this case. The Security Bond Acknowledgement Receipt for the existing guarantee issued by the Work Permit Department must however be produced for verification

- (b) the completed Renewal Form and Medical Report (if applicable)
- (c) the completed Visit Pass Application Form (Form 12B)
- (d) the worker's work permit and passport/travel document. The worker's passport/travel document must be valid for at least the period of the work permit plus 1 month. The passport must be valid for at least 7 months from the day of renewal. Please produce the old passport if a new passport is used
- (e) a letter of authorisation from the employer if a representative is coming on his/her behalf

3. If you do not wish to renew the worker's work permit, you may cancel it at the Cancellation Section (Level 2 of the Ministry of Manpower). Please bring along the following documents on or before the expiry date of the work permit:

- (a) the worker's work permit
- (b) the worker's passport/travel document
- (c) a confirmed travel ticket for her return to the country of origin within the next 7 days after the cancellation of work permit (not applicable to Malaysian)
- (d) a letter from the employer requesting for the cancellation of work permit (the representative must be authorised in writing).

Registration at Work Permit Services Centre (WPSC)

- A foreign worker may be required to register at WPSC upon the renewal of his/her work permit. If the foreign worker has to report, it will be indicated in the notification letter issued after the submission of documents at WPD, Ministry of Manpower.
- The foreign worker has to report to WPSC within 7 days for registration.
- The WPSC is located at:

Tanjong Pagar Complex
7 Keppel Road
#02-27/29
Singapore 089053

- At WPSC, the foreign worker's photograph and fingerprint will be registered for the issuance of the new work permit card.

The foreign worker need not report to WPSC for renewal unless otherwise stated in the notification letter

When to Collect the WP Card

- The work permit card will **ONLY** be ready for collection at the Work Permit Services Centre (WPSC):
 - 7 days after he/she has registered at WPSC for fingerprinting; or
 - 7 days after submission of documents if the foreign worker does not need to register at WPSC for fingerprinting.

Please bring along Part I of the notification letter for collection of the work permit card.

Required Documents for Reporting to WPSC

- Original notification letter for worker to report to WPSC issued by Work Permit Department
- Passport of foreign worker
- Two recent photographs*

* Specifications of photographs for worker reporting to WPSC.

- **Two recent photographs** of dimension 45mm x 35mm;
- The face length from chin to crown of head shall be between 25mm x 35mm;
- Black & white or colour photographs are acceptable;
- The **background** colour shall be **white**;
- **Balanced lighting shall be used so that no shadows shall be shown**; and

The photograph shall be of a **non-reflective** satin **matt** finish

2 EMPLOYER'S RESPONSIBILITIES AND OBLIGATIONS

1. The employer is reminded that during the foreign worker's stay in Singapore, the employer is responsible for the worker's upkeep, maintenance and welfare, for providing adequate housing to the worker and for the cost of the worker's eventual repatriation.

2. The employer has to ensure that all issues arising from the employment, including any outstanding wages and claim for compensation, have been settled with the worker before the work permit is cancelled. The employer must also inform his worker that the work permit has been cancelled. It is fair to give due notice to the worker of the cancellation of the work permit.

3 PROCEDURES AND GUIDELINES FOR CANCELLATION OF WORK PERMITS

A. CANCELLATION OF WORK PERMIT OF FOREIGN WORKER BEFORE HER DEPARTURE FROM SINGAPORE

- (a) The work permit of the foreign worker must be cancelled by her employer:
 - (i) upon the termination of the worker's employment

- (i) (inclusive of resignation) during the validity of his/her work permit; or
 - (ii) on the day of expiry of his/her work permit.
- (b) To cancel the work permit of the foreign worker, please call at:

Cancellation Section
Work Permit Department
Ministry of Manpower
18 Havelock Road
Singapore 059764.

- (c) The following documents must be produced for the cancellation of the work permit:

(i) The employer's letter addressed to the Controller of Work Permits requesting for the cancellation of the work permit. A specimen letter is obtainable from the enquiry counter (Specimen letter 1); (If the employer is unable to cancel the work permit personally, the employer authorise another person or an agent to do it on his/her behalf. The authorised representative's name and NRIC/Passport number and the agency's stamp, if the employer is using an agent, must be stated in his/her letter). The foreign worker is not allowed to cancel the work permit on behalf of her employer because the employer is eventually responsible for her repatriation.

(ii) the worker's work permit card and passport; and

(iii) a confirmed travel ticket for the worker to return to his/her home country within the next 7 calendar days from the date of work permit cancellation.

1 Procedure and guidelines for cancellation of work permit and repatriation of a foreign worker on security bond

(a) When the work permit is cancelled, a cancellation acknowledgement letter is issued to the employer and a Special Pass is issued to the foreign worker. The Special Pass is issued only to grant the worker stay in Singapore and not for employment.

(b) The Special Pass must be surrendered to the Immigration Duty Officer at the Immigration Checkpoint at the time of departure. This serves as evidence that the worker has left Singapore on the scheduled date and that the Security Bond may be discharged.

2 Discharge of employer's liabilities under the Security Bond

The employer's liabilities under the Security Bond will be discharged and his/her cash security deposit refunded if there is:

- (a) no breach of any relevant law or conditions of the work permit;
- (b) no breach of any of the conditions in the Security Bond; and
- (c) documentary evidence that the foreign worker's visit pass had been cancelled and he/she has been repatriated as confirmed by Singapore Immigration.

If the security deposit is in the form of a Guarantee, the employer's bank or insurance company will be notified of the discharge of the liabilities under the Guarantee.

B. Guidelines for Employers of Foreign Domestic Workers who are returning to their country for home leave

If your foreign worker is returning to her country for home leave, you may choose either to:

- (a) cancel her work permit before she leaves Singapore; or
- (b) let her leave for home without canceling the work permit.

The important points to note are:

A CANCELLATION OF WORK PERMIT FOR HOME LEAVE

- (a) Your liability for the foreign worker levy ceases on the day your foreign domestic worker's work permit is cancelled;
- (b) Your liabilities under the Security Bond, which you have furnished to the Controller of Immigration, are discharged after it has been confirmed that the worker had left Singapore. However, you have to execute a new Security bond and furnish a new insurance/banker's guarantee before the worker returns to Singapore;
- (c) The duration of the home leave must not be more than 60 calendar days; and
- (d) The expiry date of the work permit of the worker must be more than 3 months from the date of the cancellation of her work permit.

(e) The work permit can be reinstated after the return of the worker from her home leave. An In-Principle Approval letter for the reinstatement of the work permit will be sent to you within 10 days after the cancellation of the work permit.

You may use Specimen letter 2 attached when canceling the work permit of your worker when she goes on home leave.

B NO CANCELLATION OF WORK PERMIT FOR HOME LEAVE

(a) Alternatively, you may choose not to cancel your worker's work permit when she goes for her home leave. Your liability for the foreign worker levy continues during the period of her absence from Singapore;

(b) When your worker returns to Singapore, you may apply for a refund of the levy for the period of her absence from Singapore at the CPF Board's branch nearest your home or at any of the Board's branches. You have to produce the original passport of the worker to the Board for verification of her absence from Singapore.

(c) If the worker fails to return to Singapore after her home leave, you should cancel her work permit immediately to cease your levy liability. You may use Specimen letter 3 for the cancellation of the work permit;

(d) To seek a discharge of your liabilities under the Security Bond from the Controller of Immigration, you have to prove that the worker had departed Singapore and has not returned prior to the cancellation of her work permit. For this purpose, you are advised to keep a photocopy of the travel ticket or a record of the worker's departure itinerary;

(e) The Controller of Immigration will discharge your liabilities under the Security Bond only after verifying that the worker has departed and did not re-enter Singapore before her work permit was cancelled by you. If the worker had re-entered Singapore before her work permit was cancelled, you will have to arrange for her immediate repatriation failing which the security deposit will be forfeited. No appeal for waiver of the forfeiture of the security deposit can be considered.

The choice of which option to take rests with you. However, we would recommend the cancellation of work permit for home leave option because:

(a) your levy liability ceases upon cancellation of the work permit;

(b) your liabilities under the Security Bond are discharged. If the worker re-enters Singapore without your knowledge, she will be on a 14-day Social Visit Pass and you are not responsible for her repatriation.

ANNEX A

Proposed Guidelines for drawing up written agreements on employment terms and conditions between employers and their foreign domestic workers.

(The written agreement should state the names of employers and worker, the commencement /termination dates and the following items)

(a) Wages

- * agreed monthly salary reflecting the scope of work and duties assigned
- * when salary payable - to specify not later than the last day of either the calendar month or actual monthly salary period
- * mode of payment, e.g. in cash or via bank account
- * agreed increment and other variable payment based on worker performance
- * written acknowledgement of all salary payments

(b) Salary deductions

- * purpose, amount per month and total deductions over workers service period to be negotiated, and each salary deduction acknowledged by worker in writing

(c) Rest days

- * number of rest days in a month to be negotiated
- * subject to agreement, encashment of rest day possible for worker's rest day

(d) Annual leave

- * duration of unpaid leave for home visit to be negotiated
- * subject to agreement, encashment of leave possible if domestic worker foregoes home visit

(e) Medical benefits

- * employer to cover worker under a personal accident insurance of not less than \$10,000 with worker or next of kin as beneficiary
- * employer to bear medical expenses incurred by domestic worker and ensure that she has adequate rest during her illness
- * employer to pay for medical expenses incurred by domestic worker for all compulsory 6-monthly medical examinations

(f) Duties

- * workload and duties to be scheduled by employer
- * employer to ensure worker has adequate rest hours at night and adequate breaks during the day

(g) Welfare

- * employer to provide appropriate welfare benefits for domestic worker such as board and lodging.

(h) Dispute Settlement

- * employer and worker should first try to resolve any dispute themselves, failing which the assistance of the agent or the MOM could be obtained

(i) Termination of contract

- * either party to give sufficient notice of a period to be negotiated
- * no notice required in cases of misconduct by worker or physical threats by employer

(j) Transfer of employment

- * notice to be served by initiating party
- * levy fees to be borne by employer pending the transfer

(k) Repatriation

- * employer to bear cost of repatriation
- * subject to agreement, employer could recover cost from worker if contract prematurely terminated by worker.

Specimen Letter 1

Work Permit Department
Ministry of Manpower
18 Havelock Road
Singapore 059764

Dear Sir

CANCELLATION OF WORK PERMIT

NAME OF DOMESTIC WORKER : _____

WORK PERMIT NUMBER: _____

1. I wish to cancel the work permit of the abovenamed domestic worker with immediate effect. The reason for canceling her work permit is _____

Note: If the work permit holder is deceased, please specify nature of death eg: industrial accident, road accident, drowning, illness, murder, suicide.)

2. She is scheduled to depart Singapore on (date) _____
by ferry/coach/flight no. (delete as appropriate) _____

3. I authorise (full name) _____
(NRIC/Passport No.) _____ of (agency's rubber stamp, if

applicable) _____ to cancel her work permit on my behalf.

Yours faithfully

Full Name of Employer

Signature

NRIC/Passport No. of Employer

Date

Specimen Letter 2

Controller of Work Permits
Work Permit Department
Ministry of Manpower
18 Havelock Road
Singapore 059764

Dear Sir

CANCELLATION OF WORK PERMIT FOR HOME LEAVE

NAME OF DOMESTIC WORKER : _____

WORK PERMIT NUMBER : _____

1. I wish to cancel the work permit of the abovenamed domestic worker as she is returning to her country on home leave.
2. She is scheduled to depart Singapore on (date) : _____
by ferry/coach/flight no. (delete as appropriate) : _____
3. I have read and understood the guidelines and procedures for the cancellation of the work permit for home leave.
4. I authorise (full name) : _____
(NRIC/Passport No.) _____ of (agency's rubber stamp, if applicable)

_____ to cancel her work permit on my behalf.

Yours faithfully

Full Name of Employer

Signature

NRIC/Passport No. of Employer

Date

Specimen Letter 3

CONTROLLER OF WORK PERMITS

Work Permit Department

Ministry of Manpower

18 Havelock Road

Singapore 059764

Dear Sir,

**CANCELLATION OF WORK PERMIT OF DOMESTIC WORKER
WHO FAILED TO RETURN FROM HOME LEAVE AND REQUEST
FOR DISCHARGE OF SECURITY BOND**

SECURITY BOND REFERENCE NUMBER: _____

NAME OF DOMESTIC WORKER : _____

WORK PERMIT NUMBER : _____

1. I wish to inform you that the abovementioned domestic worker left Singapore on home leave for (destination) _____ on (date) _____ by ferry/coach/flight no. (delete as appropriate) _____ without cancellation of her work permit.
2. She did not return to Singapore by/on _____ as promised and (please tick as appropriate)
 - * She had informed me that she did not wish to return to work for me.
 - * I assure that she does not wish to return to work for me as she has not communicated with me since leaving Singapore.
 - * She took her work permit card with her when she left Singapore.
3. Please cancel her work permit to cease my levy liability.
4. I would also like to request for a discharge of my liabilities under my security bond after your verification that she had departed (as stated in paragraph 2 above) and did not re-enter Singapore. If she has re-entered Singapore, I undertake to arrange for her immediate repatriation failing which my security deposit will be forfeited.
5. I authorise (full name) : _____
(NRIC/Passport No.) : _____ of (agency's rubber stamp, if applicable)
_____ to cancel her work permit on my behalf.

Yours faithfully

Full Name of Employer

Signature

NRIC/Passport No. of Employer

Date