

MIGRANT FOCUS



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The Mission's Lenten Reflection

Migrant's unity shall overcome their calvary

In this year when the Mission celebrates its 25th year of service to migrant workers in HK, we reflect on the sufferings of the people we have chosen to help empower. We reflect on the very people who have made the Mission stronger in its resolve to deliver services that address the immediate need of those in distress and at the same time, more importantly empowering.

The Mission is a witness to the daily sufferings of migrant workers. Around 1000 migrants a month approach our office for counseling, legal assistance and shelter.

Their problems range from lack of awareness to more serious cases of labor violations, mental stress, and physical abuse. They are the ones who are made to work for long hours, are deprived of humane food and shelter, are not justly paid, are exploited, and are abused.



Abuses hurt not only the body of migrants but also their soul, their dignity, their right and their humanity

Sometimes, the gravity of the sufferings of the victim makes us wonder how another human being can inflict such cruelty and

inhumanity to those who already have very less in their lives.

Migrants do not only suffer from exploitation, harassment and discrimination inside their place of work but outside as well. Recruitment agencies overcharge them while government agencies that are supposed to protect them implement unfair and discriminatory labor laws and practices such as the two week rule, wage cuts and levy.

Even their very own governments oftentimes turn a blind eye on their condition. Worse, some governments even create policies that make their own nationals more vulnerable to abuses. As long as migrants rake in money through remittances and payment of government fees – that are not channeled for genuine development – these governments even scramble to make their nationals more “attractive” to foreign markets. To their eyes, migrants are but commodities for export.

But while we reflect on the situation of migrants, we also rejoice on their strength.

For the past 25 years, the Mission has also been a witness to the birth and progress of the migrant's movement in HK. This is the movement of migrants, by the migrants, and for the migrants, their families and their countrymen.

(Lenten Reflection, con't to p. 2)

MFMW Holds Thanksgiving Service

The Mission for Filipino Migrant Workers celebrated its 25th Anniversary with a Thanksgiving Mass on 05 March 2006 at St. John's Cathedral at 2:00 pm. The mass was held to give thanks for the Mission's consistent and further developing work to assist migrants in distress.

The presiding celebrant was Fr. Dwight Dela Torre assisted by Fr. Jun Nino. The Most Revd Dr. Peter Kwong, Archbishop of the Sheng Kung Hui gave the Absolution and Benediction. The Very Revd Andrew Chan, Dean of St. John's Cathedral, delivered an inspiring and encouraging homily, while the Revd Paul

Kwong, bishop-elect for the diocese of Hong Kong Island assisted in the distribution of the communion.

The Philippine Independent Church (PIC - Hong Kong) Choir provided the music while the Mission Volunteer (MOVERS) and *Likha* Cultural Group, sang the Gradual. The first reading was read by Rosalyn Tomas (ACFIL), and the second reading, by Cynthia Talamor (MOVERS). The prayer of the faithful was read by Ms. Sol Pillas (UNIFIL -Vice Chairperson). Ms. Cynthia CA. Tellez (Director of MFMW) led the Offertory assisted by the leaders of the different Alliances and Organization. Flowers, fruits, rice and reams of bond paper were offered while the Special Thanksgiving Offering totaled \$2,000.

The Mass was well attended by the different organizations, alliances and individuals from the Filipino community. After the Mass, a light snacks followed at the Li Hall where leaders of the church and the community gave their messages of solidarity.



Peace advocates hold forum on Presidential Proclamation 1017



The Hong Kong Campaign for the Advancement of Human Rights & Peace in the Philippines launched on 3 March 2006 a Forum on Presidential Proclamation 1017 and the continuing human rights violations in the Philippines.

The forum was attended by peace activists, human rights advocates, church people and migrant workers from different nationalities in Hong Kong. The forum

was held at the Kowloon Union Church, in Jordan Road.

Fr. Dwight Q. dela Torre Co-Convenor of HKCAHRPP gave the introduction, Mr. Ramon Bultron of the Asia Pacific Mission for Migrants (APMM) talked on the topic while Ms. Cynthia Ca. Abdon-Tellez gave the summary.

The HKCAHRPP plans to hold sometime in May a roundtable discussion on the subversion of democracy in the Philippines, Thailand, Indonesia and Nepal and the violation of human rights in the above-mentioned countries. The forum also united the participants on several support actions for the defense of human rights in the Philippines as well as for the immediate release of Rep. Crispin Beltran who used to chair the Committee for Migrants in the Philippine House of Representatives. 📷

Dinner for a Cause

A group of women spearheaded by Lea Lomax and Irene Haagen organized a dinner fund-raising on 1st April 2006 in support of the work of the Mission. Irene's family hosted the affair in Discovery Bay and even helped in the preparation of the food. Several of their friends came to learn more about the Mission.

Cynthia Ca Tellez, the Director of the Mission presented a brief historical background of how and why the Mission was set up in 1981. She also shared the different problems faced by migrants and the problems faced by the Mission in raising funds to continue its ministry among the migrant workers.

Edwina Antonio-Santoyo, the Executive Director of the Bethune House and some of its residents and volunteers were also present.

It was a night of sharing and planning where the camaraderie was really heartwarming! 📷

(Lenten Reflection, con't from p. 2)



Rejoice in the determination of migrants to fight!

The Mission rejoices in the fact that the migrant's movement in HK is one of the most vibrant and dynamic movement in the world. It is a movement that firmly adheres to the interest of migrants and their families. It is a movement that embraces actions for societal changes in their homeland. It is a movement that unites with people all over the world against injustice, oppression, and exploitation.

The Mission has not only been a witness to this movement. We believe that we are a part of this movement.

The migrant's journey is hard but the Mission believes in the people we work for as well as work with. There are victories that we should rejoice. Such victories are the stepping stones that the migrants will tread to finally achieve their dreams for themselves, for their families, and for their country. 📷

Filipinos in the US join other immigrants in protest actions against House Resolution 4437

Filipinos in several cities under BAYAN USA and allied organizations have actively participated in large demonstrations across the United States against House Resolution HR4437 or the Sensenbrenner Act also known as "Border Protection, Homeland Security, and Illegal Immigration Act" and other anti-immigrant legislations in the US Congress.

This Act, passed in December last year seeks to criminalize millions of undocumented immigrants as well as individuals and organizations that provide them basic social services, such as lawyers, priests, advocates and employers.

According to Chito Quijano, labor union organizer and vice-chair of BAYAN USA,



aside from waging the campaign against the proliferation of repressive immigration bills, their group is also putting pressure on the Arroyo administration for its silence on this issue despite lobbying efforts already launched by eleven other countries.

Instead of providing protection to the millions of Filipinos who have sustained the Philippine economy, the Arroyo regime through the Department of Foreign Affairs (DFA) simply advised Filipinos in the US staying in violation of US immigration laws to simply "Come home na, now na."

The position earned the ire of many Filipino organizations abroad including those in HK such as the UNIFIL and the APMM. 📷

OUR FAITH,
OUR
STRUGGLE

Father
Dwight dela Torre
IFI Chaplain
MFMW

Rediscovering Holy Week

Lent, those forty days before Easter. Ash Wednesday ushers in the season of Lent and it ends with the Great Easter Vigil on the evening of the Saturday before Resurrection Sunday. The last week of the life of Jesus – Holy Week — is commemorated with Palm Sunday and ends with Good Friday.

The introduction to the Palm Sunday Liturgy says, "...during Lent we have been preparing by works of love and sacrifice for the celebration of our Lord's death and

resurrection. Today we come together to begin this solemn celebration in union with the church throughout the world. Christ enters his own city to complete his work as Saviour, to suffer, to die and to rise again. Let us go with him in faith and love, so that united with him in his sufferings, we may share his risen life." In former Spanish colonies, flagellants are an annual spectacles as well as crifixions in the Philippines.

Palm Sunday commemorates the triumphal entry of Jesus Christ in Jerusalem and the beginning of Holy Week. Lent ends on the Saturday at The Great Easter Vigil. But how was the first Holy Week? It was a Passover week (Mt. 26:17-19; Mk. 14:12-16; Lk. 22:7-13; Jn 13:). What was Passover? It is the Jewish Feast of Liberation. It celebrates the Israelites' freedom from slavery in Egypt and its journey-exodus-towards the promised land.

But the Jews were not free during Jesus' time. They were a colony of Rome. They were not free. The greatest symbols of their

subjugation was the Antonia fortress – the Roman Garrison in Jerusalem — towering over the Temple and the fact that the High Priestly vestments used during Passover rituals were deposited at the fortress and had to be requested from the fort commander for use.

Judea, Samaria specially Galilee at the time of Jesus were a smouldering land. Jesus' trial gives us a glimpse of this reality, "And among the **rebels** in prison, who had committed murder in the **insurrection**, there was a man called Barab'bas. And the crowd came up and began to ask Pilate to do as he was wont to do for them. And he answered them, "Do you want me to release for you the King of the Jews?" For he perceived that it was out of envy that the chief priests had delivered him up. But the chief priests stirred up the crowd to have him release for them Barab'bas instead." (15:7-11)

Today's Lenten specially Holy Week observances are a far cry from the realities of Jesus' time. 📖

This was written by Ms. Becky Ip, a volunteer of Bethune House from Canada

Sriyani



herstory

Putting A Face To The Case



Sriyani arrived in HK from Indonesia on August 6, 2002. That time, she had already worked as one in Singapore for 6 years, to support her mother, who was a farmer, and her 9-year-old son. With 5 months of training in Indonesia, and 6 years of work experience under her belt, Sriyani underwent one week of additional domestic helper training with her agency upon arrival before being placed with her employer.

Sriyani worked for a couple and their two children in the New Territories, taking care of the grocery shopping, cooking, cleaning, and child caring. Whenever, Sriyani had finished all of her duties and had some spare time, her employer would send her to her brother's home to work or to her sister's home. At the time, Sriyani was unaware that this was illegal. She also did not receive any rest day for the first five months and then she was given two days off per month afterwards. She was also not granted any statutory holiday, and did not receive compensation for these ungranted days.

Sriyani's salary was only \$1800. However, for the first four months, her employer gave her \$20 in cash each month, while the rest was paid to her employment agency for the

placement fee. From the 5th month onwards, her employer would give her a \$3670 cheque, instruct her to withdraw the money on the same day then give \$1800 to Sriyani while making her sign a salary receipt of \$3670. When Sriyani approached her agency to inquire about this, they told her that they didn't want any trouble. Not wanting to lose her job, she went along with this. When the contract ended, the agency made her sign many documents without allowing her to read them.

Following that contract, Sriyani started working with another couple and their two children. Although the contract stated that she would be residing with, and working for that family, her employer informed Sriyani that her primary role was to care for her mother, who was disabled, and was to live at her mother's flat. She was also informed that she would have to perform some additional general cleaning duties at the employer's home. However, she soon found that her employer demanded a lot more extra work from her for her own family. Each morning, she would wake up at 5:30, and would work until after 12:30 am. As everyone was constantly demanding her time and energy, giving her a stressful workload,

and she was constantly being scolded for her lack of time spent with either household, after 9 months of employment, Sriyani ran away. Her friend informed her about Bethune House Migrant Women's Refuge, where she sought help.

With the help of Bethune House, Sriyani lodged a case against her first employer with the Labour Tribunal, claiming \$62,519.20 in unpaid wages and other compensation. However, as her employer made her sign the salary receipts stating that she was receiving \$3670 each month, Sriyani lost that portion of the claim and was only awarded \$10,276. Sriyani also lodged a complaint with the Immigration Department about her second employer.

When asked what her future plans are, Sriyani stated that she was going to go back to Indonesia, and stay there for awhile. "Hong Kong is trouble for me, so I go home", she laughed. Despite the difficulties that she has faced here, Sriyani is considering coming back; and if not HK, then to Brunei. Hopefully, her next work venture will be much more fruitful. We, at BH, wish her the best of luck. 📖



KNOW YOUR RIGHTS

The different government agencies in HK, their description and processes

This is the first part of a series of articles that we shall publish in this section that will deal with the different government agencies that migrants most of the time deal with.

Labor claims or money claims based on the employment contract is filed 7 days after the contract has been terminated.

Conciliation Service of the Labor Relations Service

The Labour Relations Division of the Labour Department operates from 11 branch offices located in Hong Kong, Kowloon and the New Territories. Officers in the branch offices assist employers and employees in the non-government sector in resolving their labour disputes through the provision of conciliation service.

Conciliation service is provided free of charge. They are informal, time saving and relatively simple procedures which help resolve labour disputes. Records reveal that most of the labour disputes have been satisfactorily resolved through the Labour Relations Division.

PROCEDURES

1. In case of a labour dispute, either party involved may contact a branch office near his work place to make enquiries in person. The staff of the branch office will interview the enquirer to understand the problem involved and explain the provisions of the Employment Ordinance.
2. If the party concerned requires conciliation, a meeting for the purpose would be arranged, and the other party would be requested in writing to turn up at the conciliation meeting at the scheduled time.
3. At the conciliation meeting, the conciliation officer would assist both parties in exploring the crux of the problem concerned, and in analyzing the situation. He would also draw their attention to the relevant requirements

under the Employment Ordinance, thus facilitating them to reach a mutually acceptable settlement.

4. If necessary, a settlement agreement would also be signed by the parties. If the settlement involves compensation by cash payment, the conciliation officer would make arrangements for effecting payment.
5. If either party fails to attend the conciliation meeting, or no settlement is reached between both parties at the meeting, the conciliation officer will arrange another conciliation meeting, or at the request of the party concerned, refer him, depending on the claim amount, to lodge a claim with the **Minor Employment Claims**

Adjudication Board or the **Labour Tribunal** where the dispute will be adjudicated by the Adjudication Officer of the Minor Employment Claims Adjudication Board or the Presiding Officer of the Labor Tribunal.

6. If an employer or a company cannot pay the wages in arrears or other payments on account of **bankruptcy or liquidation**, the employee will be referred to the **Legal Aid Department** for assistance and to the **Protection of Wages on Insolvency Fund** for applying ex-gratia payments.

Reprinted from
<http://www.labour.gov.hk/eng/public/wcp/ConciliationServiceLRD.pdf>

Do you have labor and immigration problems? Are you at a loss on what to do? Come now ...

Know Your Rights! Join the KYR Seminar!

When: April 23, May 28, June 25, July 23

Where: St. John's Cathedral, Garden Road, Central

Those who are interested please contact the Mission for Filipino Migrant Workers at 2522-8264 and Helpers for the Domestic Helpers for early registration.

The seminar is free.

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Editorial Team: Cynthia Ca. Abdon-Tellez, Norman Uy Carnay, Jun Tellez, Fr. Dwight dela Torre

Contributors: Vicky Cabantac, Edwina Antonio, Becky Ip

Address: St. John's Cathedral, 4 Garden Road, Central, Hong Kong **Tel No:**25228264 **Fax No:**25262894

E-mail:mission@migrants.net

Webpage:http://www.migrants.net

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