



Foreign Domestic Workers in HK Rally vs. Wage Freeze

The Hong Kong government's announcement of a wage freeze on the Minimum Allowable Wage (MAW) of foreign domestic workers (FDWs) on September 2 was met by a protest action by the Asian Migrants Coordinating Body (AMCB) four days after. AMCB labeled the freeze as insensitive and inconsiderate.

Eman Villanueva, spokesperson of the Asian Migrants Coordinating Body (AMCB) led more than 200 foreign domestic workers (FDWs) from the Philippines, Indonesia, Thailand, Nepal and Sri Lanka to the Central Government Office (CGO) to protest the decision of the HK Executive Council to maintain the wage of FDWs at its current HK\$3,580 level.

They said that the decision to maintain the present level of the MAW by the Executive Committee (ExCo) of the Hong Kong government is not sensitive and considerate to the plight of the FDWs who are also reeling from the present economic crisis. The AMCB also stated that the Minimum Allowable Wage for FDWs in effect goes against the rights of workers.

ExCo's decision comes at a time when the FDWs are campaigning for their inclusion in the Statutory Minimum Wage (SMW). The



Migrant workers staged a die-in to express their indignation over the HK government's call to freeze wages of foreign domestic workers.

Ex Co had already decided to exclude FDWs from the SMW on August before the recess of the Legislative Council (LegCo). It cited the alleged particularity of the FDWs who are on live-in status which it cites is difficult to calculate the working hours thus retaining the MAW for them.

The MAW however is an Executive decision that is reviewed every year and can be maintained, lowered, or increased by the ExCo. The SMW on the other hand is legislated and can never be lowered. The current HK\$3,580 level has not been increased to its highest level of HK\$3,860 for the past eleven years.

Villanueva hit the MAW and its annual review as unjust,

arbitrary and non-transparent. He relayed that the process provides no venue for FDWs and advocates to lobby effectively as well as appeal the decision of the ExCo.

He added that if indeed the MAW is workable for FDWs then why is its level still lower than a decade ago. In addition to this, he asked why the bases are and computation of the MAW is kept like a tightly-guarded secret and is not open to scrutiny? He then concluded by saying that the MAW is a whimsical policy and does not put the interest of workers as its priority.

The AMCB vowed to intensify its campaign to include FDWs in the Statutory Minimum Wage

HERSISTORY

Putting a Face to the Case

Stories of Suffering, Struggle and Success

Julietta's Story

The humiliations and sufferings of a Woman who needs to earn a living for her family..

Julietta Selga is 33 years old from Aritao Nueva Vizcaya, Philippines. She decided to work in Hong Kong as a domestic helper to support her only son who is now 5 years old.

She has been working for only six months when she was physically assaulted both by her female and male employers on 23 March 2009. She was ordered to "kowtow" 100 times by her employer. But while she was doing this, her female employer pushed her head harder on the floor. Julieta's head bumped into the floor so hard that caused her to be dizzy and disoriented.

The female employer got angry because she took the initiative to cook rice without her instruction. Her employer ripped her t-shirt from her shoulder, slapped her face, pulled her hair, yelled and insulted her. When her male employer arrived he joined his wife in "punishing" her. With a rolled newspaper, her male employer hit her

head and neck with it.

That night Julieta went to bed - all bruised and in pain physically and emotionally. The next day she got the chance to run away. She reported to the Police station straight away. She decided never to come back to her employer's house.


Afterwards, Julieta went to the office of the Mission for Migrant Workers where she sought assistance. She filed her monetary claims at the Labour Relation Service and was able to testify in court against her former employers.

During that time, she was struggling with herself whether she would go home or stay in HK to testify and continue the fight. According to Julieta, she chose the latter not because of the physical pain but because of humiliation and the lost of her dignity. She felt that she will not be at peace forever if she gives up the fight and that will be her biggest nightmare..

The Magistrate court found the male employer guilty on two counts of "Assault occasioning actual bodily harm"

and was fined HK\$5,000.00. The female employer was found guilty of Common Assault. They were both ordered to do 200 hours of Community Service, in concurrent. A compensation of \$3,000 was ordered as payment to Julieta.


Julietta is currently in the Philippines with her son who had undergone an operation.

Though the memories cannot be forgotten that easily, Julieta is trying very hard to forgive her employers. 

Against Wage Freeze, from p. 1

in and outside Hong Kong. This would include plans to conduct community and church-based information and education activities, lobby with LegCo members and local organizations, as well as appeal to trade unions and agencies such as the International Labour Organization to look into the discriminatory policy of exclusion of FDWs from the minimum wage bill.

Besides the announcement of the wage freeze the Ex Co announced the increase of the food allowance from HK\$300 to HK\$740 per month. AMCB welcomed this moved but remained skeptical that this will be just used to make their wage freeze decision more palatable. AMCB said this increase in food allowance is long overdue considering that the previous rate of HK\$300 is inhuman.


Service providers like the MFMW should support the migrant workers position against the wage freeze and do its utmost to rally support for their inclusion into the SMW. This it could do together locally with its co-service providers under the Coalition of Service Providers for Ethnic Minorities (CSPM) and internationally with the United for Foreign Domestic Workers' Rights (UFDWR), both of which it is a member. 

CONGRATULATIONS TO THE NEWLY-WEDS!

The Board, Staff and volunteers of the Mission For Migrant Workers congratulate Norman Uy Carnay, our Documentation, Research, Information and Documentation (DRID) Officer who got married to Janet Pilotin on 14 September 2009. The church blessing was



officiated by Dean Andrew Chan in St. John's Cathedral. A simple reception followed with most of the couple's closest friends present to celebrate their union.

Congratulations and a good life ahead, Norman and Janet! 

A press conference and the formation of a network ushered in the campaign against certain provisions in a proposed Migrants Bill in Macau.

The Macau Migrants Rights Network (MMRN) called on the Macau government to assert their rights against the proposed policies of the Macau government, namely:

1. Imposing a levy on employers of all migrant workers;
2. Imposing a 6 month re-entry ban to migrants who terminate their contracts;
3. Ensuring that migrant workers can only transfer to the same category of work they are presently in; and
4. Imposing a fine of MOP250 to migrant workers who fail to show any identity papers in spot checks.

Its initial members include APMM, the Mission For Migrant Workers, Filipino Migrants Ministry Macau - Social Services Commission, Filipino Fellowship of the Morrison Chapel, Migrante - Macau, Quezonian Macau, Asosiasi Tenaga Kerja Indonesia, the Jesus Is Lord (JIL) - Macau, Sr. Rosa Vilorio, RGS and Sr. Celsa Villaflor, MPS.

The said government proposals are meant to portray migrant workers as the cause why local workers lose their jobs and pit them one against the other. It will thus deflect the local's minds as to the real cause of the economic crisis and who benefits from this.


Migrants Protest Macau Admin's Racist Policies



In a petition being circulated, more than 1,600 signatories were gathered.

In addition to this, the MMRN is arranging to meet prominent Macau government officials like the Chief Executive, the new Chief Executive elect, the Secretary of Economics and

the head of the Legislative Assembly. There will also be a candle light vigil planned for October 4 to mobilize the migrant workers.

It is hoped that with this campaign the voices of the migrant workers are upheld and protected. 


MFMW Co-Signs Petition against the Affidavit of Support in Macau

The MFMW co-signed a petition letter addressed to the Philippine Consulate in Macau against its recent move to re-require Philippine nationals to show an affidavit of support to immigration officials in the Philippines. This requirement is supposedly to stop illegal recruitment in Macau.

The affidavit was first required in 2006 in only one airport in the Philippines but was shelved because of opposition from Filipinos in Macau. This year, the

affidavit was a requirement again. One can be off loaded the plane without this.

Filipinos in Macau are against this as the requirement is an added financial burden to those working in Macau. It also violates the Constitution, and is a source of corruption. The Philippine Consulate in Macau charges MOP\$220 for each affidavit that is good for three persons.


A dialogue is being planned on September 22 between the Filipino community and the Consulate. 

Phil Consulate in Macau Pressured to Assist Victims of Illegal Recruitment in Macau

The Philippine Consulate in Macau was pressured to provide full support to two victims of illegal recruitment after the Mission For Migrant Workers (MFMW) issued a statement.

The Philippine Consulate's Assistance to Nationals revoked an agreement signed by Ernesto de Guzman Cariaso, Jr. and Alvin Seranilla after they were persuaded to make an affidavit withdrawing their complaints against Rosalie Javien Piedad for illegal recruitment. This was in exchange for Piedad providing the two with the air tickets.

The said event happened on August 25 with ATN in Macau head Nick David persuading Cariaso and Seranilla.

The MFMW denounced this act and challenged the Consulate to revoke the agreement. According to MFMW, illegal recruitment cases should not be dealt with through conciliation and that the Philippine government should help out in prosecuting illegal recruiters as this is a criminal act. 



Mission Volunteer Group: We Are as One!

From time to time, you see a host of volunteers playing a significant role at the Mission for Migrant Workers and Bethune House. It would have been impossible to attend to all who ask for help without the committed volunteer paralegals: Filipinos and expatriates, former clients and members of migrant organizations who have undergone paralegal training, spending part of their time beefing up the numbered Mission's regular workers. Their spirits of volunteering not only arouse the sense of mission at MFMW and BH, but moreover, attract more public attention and inspire more social involvement in

servicing foreign domestic workers who need help.

In order to commit their mission towards the clients more efficiently, some volunteers participated in a group facilitated by a student social worker working at the MFMW as an intern. From 18th July to 3rd August 2009, 7 or 8 volunteers gathered together in the evening once a week in the Bethune House and spent one and half pleasant hours in various activities, sharing and discussing. This mission volunteer group has been intended to promote reflection on volunteers' self-identity, to upgrade the professional helping

skills, to boost the sense of belonging to the volunteer team as well as to the organizations (MFMW and BH) and thus to enhance the efficiency of volunteer service.


Unlike a regular workshop or volunteer training course, the group provided a more liberal and trustful space for volunteers to explore their values, emotions, perception towards their work and responsibility for the organization and clients. The respectful interaction among participants themselves enhanced the efficiency of the mutual aid and learning. In the five sessions of the group, different topics were discussed including values of volunteering, volunteers' individual needs and helping skills. The group members agreed that although they felt proud and self-fulfilled when helping others, they met a lot of challenges from the external and internal environment. For instance, while they are happy when they find themselves helpful to other foreign domestic workers in troubles, they felt a little frustrated when some clients are so hesitated to take further actions to help themselves. Listening to others' experience and sharing, group members realized that they are not alone to face those challenges, and members vied in sharing and giving feedbacks to sharing. Meanwhile, some new knowledge and helping skills were introduced to the group, such as crisis intervention model and attending skills, which are helpful to the enhancement of volunteers' serving skills.

In these 5 weeks, the members, supporting each other like a family, have spent a very enjoyable and productive period of time. The following are quoted from several members at the end of the group.

"I like the group because I can explore what is inside my mind and others will listen to me."

"I gain much knowledge about volunteering and become more confident."

"Some principles in helping skills needed by a volunteer are reviewed to help migrants in distress."

As volunteers, we feel satisfied because we are helpful; we feel proud because we serve others; we feel confident to adhere to our belief. However, we still need time to stop for a while, to reflect on what we are doing and to get support from others to back up our commitment. 

On the evening of 13th August 2009, a workshop "Female Consciousness in "The Hours"" was held in Kowloon Union Church. Over 40 participants including residents of various shelters for female migrant workers and volunteers of MFMW and BH watched the film "The Hours" and attended subsequent discussion.

With warm supports from MFMW, BH, and Kowloon Union Church, the student social workers of The University of Hong Kong took a movie "The Hours" as an entry point for the exploration of female consciousness, a concept of relationships among female needs, prescribed roles and responsibilities. Three women in the movie each suffering from depression and anxiety coming from role confusion, pressure of the family and the society due to the prescribed female role appear to bear similarities to female migrant workers who work far away from their hometown with their goals, however, are all along under heavy burden from their families and the society.

The profound discussion facilitated after the movie effectively enhanced the participants' understanding of their own needs and external pressure, which was conducive for themselves to explore their own strengths and resources in making choices and bearing consequences.

Women's natural instincts, rights and needs which may be suppressed were appreciated and encouraged. Numerous women spent a pleasant and meaningful evening in empowering themselves together.


As domestic helpers, while we left our hometown to work in Hong Kong



Female Consciousness Raised in "The Hours"

Catherine Zhang Kewa

Catherine, the writer of this article and We Are as One in page 4, is a student social worker of MFMW. She is studying in the University of Hong Kong.


and are committed to the faith toward our families, we even don't expect too much for the appreciation of our contributions, because we admit our roles in families and the society and are willing to take up our responsibilities and consequences of decisions we have made. 

Ivan Leung Man Fung's last day at Bethune House

Ivan is a law student intern from the Hong Kong University. He signed us as an intern under the HKU Social Justice Summer Internship 2009. He was the first full time local male volunteer at Bethune House.

Despite being the only male in a house full of women, Ivan was able to immerse easily with the day to day activities in the shelter. He arrives at 10 AM every day from Monday to Friday to assist in counseling and leg working.

On 22 July, Ivan's last day, Bethune House gave him a farewell party. We invited his parents and brother so they can see and meet the people and place where their son spent most of his days for more than a month. Ivan played his trombone and rendered two songs. The residents entertained the whole family with their songs in Bahasa and Tagalog.

It was just a simple dinner but we did not expect the impact of Ivan's presence in the lives of the women residents. Everyone thanked him and expressed their gratitude for the time, support and assistance he has rendered to Bethune House. 

OUR FAITH,
OUR
STRUGGLE



'Do not hold back the wages of a hired man overnight.'

(Lev. 19:12-14)

Theological Reflections on the Move of the HK Government to Freeze Wages of FDWs

The HK Government announced on September 2 that the Minimum Allowable Wage (MAW) for foreign domestic helpers (FDHs) in Hong Kong would remain at \$3,580 per month. In addition, the food allowance in lieu of free food for FDHs will be increased from not less than \$300 per month to not less than \$740 per month. The new level will apply to all contracts signed on or after September 3.

On the surface the move of the government appears laudable as the existing food allowance is a mere HKD10/day.

However on closer analysis this does not address the immediate and primary need of foreign domestic helpers. The HK government acknowledges that "...the vast majority of employers at present provide food free of charge to FDHs." The increase of the food allowance is therefore mere cosmetics so as to soften the blow of the freeze of the MAW.

The HK government says, "The review takes account of Hong Kong's general economic and employment situation, as reflected through a basket of economic indicators including the relevant income movement, price change and labour market situation." In other words, HK has not sufficiently recovered yet from economic meltdown of 2008.

What is the gauge for "economic

recovery"? When will the MAW be increased? Past experiences teach us that the foreign domestic helpers are the last to enjoy prosperity --- the current MAW has not yet reached the pre 1998-economic-crunch level and when economy comes crushing down, were the first to be made to "share the burden".

With this latest development, foreign domestic helpers and concerned citizens must work together for the inclusion of foreign domestic helpers in the minimum wage to protect their wages and livelihood.

Domestic work is work and therefore must not be subject to arbitrary decisions of the powers that be.

The Good Book reminds us, 'Do not hold back the wages of a hired man overnight.' (Lev. 19:12-14) God has to give this commandment because day workers, like the aliens, widows and orphans of ancient Israelite society are the most vulnerable in that ancient society. They must be protected from abuses and exploitation.

Despite Hong Kong's claims of the rule of law and level economic playing fields, the foreign domestic helpers, one of the most vulnerable in Hong Kong society, more than ever continue to need protection. They are the first to be made to share the economic burden, last to enjoy prosperity.



MIGRANT FOCUS

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