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**Hong Kong Federation of Asian Domestic Workers Unions  
Press Statement**

**Immigration takes away worker's means of living  
Workers suffer from abuse of power  
Abolish the new condition of stay**

Since last August, Immigration Department has put forward strong measure against "job-hopping" of foreign domestic workers, denying issuance of working visa to the "job-hopping suspects". Until now, over 170 foreign domestic workers' working permits were rejected. Immigration, however, is abusing its power of granting visa, treating "job-hopping" suspects as criminals, taking their rights to work without explanation. It is nothing but discrimination.

Rex, who is a Thai domestic worker, approached FADWU telling us that her working visa was rejected by Immigration last November while she was applying for work in Hong Kong for the third time last year. It has been seven months since the denial of visa. Rex has four-year working experience in Hong Kong. She got along well with her first employer and had been working there for more than four years. Her first termination was due to the fact that the mother-in-law of the employer was invited to live together with the employer that Rex was no longer needed. Yet Rex and the first family of the employer still keep in touch as good old friends until now.

Afterwards, Rex found a new employer through the employment agency. Sadly a problem occurred when she started working. The new employer mentioned that his wife is sick. Yet only did Rex start working, she learned that the wife is a pregnant woman with mental disorder. She could not handle the pressure that she expressed the difficulty to the employer and gained mutual understanding on the situation. Both parties agreed to terminate the employment without notice period.

It came to the third employer of Rex. She was, working for a well-off family at this time. The employer introduced strict management on her work and commanded her to work for 16 to 18 hours per day, while only are there 4 to 6 hours left per day for rest time. The household is larger than 3200 square ft. but she had to mop the floor with her own hands. Apart from the lack of sleeping time, neither of the meal time nor the provision of food was sufficient. Only could she have the leftovers of the employer. She was also prohibited to sleep before the employer did so. She was asked to "welcome the employer" in case the employer was returning home late at night (attachment 1 is the schedule of Rex's work, showing the 18-hour working hour).

Working under the circumstance as such, Rex after all lodged a resignation after seven days, but the employer refused. A few days later, Rex fainted away and was sent to hospital due to the overloaded work at home. For the incurred sick leave, the employer prohibited her from entering the household therefore she lived in the boarding house provided by the employment agency for three days. Then it was mid-September, the employer paid to terminate her contract.

This time after, she filed application to the Immigration for working in Hong Kong again. Immigration then notified her the denial of working visa, with no reasons given (please refer to the attachment 3). FADWU, after confirming to provide assistance to this case, wrote to the Immigration for the reasons of denial for several times. However, no responses were given.

It is outrageous that the Immigration takes away worker's right to work at its own will. In the aforementioned case, not only is Rex given no reasons of the denial of visa, but also she was asked nothing during the "investigation" of the Immigration. The only letter provided was filled with ambiguous content stating that "having taken into consideration of the information made available to us and the circumstances of your case, we are not satisfied that you have met the eligibility criteria and other immigration requirements for entry to take up employment in Hong Kong" (refer to attachment 2) that no justification was given. Even though we have requested for an explanation time after time, the Immigration still turns a blind eye. Handling employment disputes in such way, Immigration Department is indeed abusing its power of granting visa; making arbitration instead of Labor Tribunal; possessing the power of taking workers' means of livelihood away which no reasons are required to provide. It is truly oppressing the workers in the name of "protecting the employers".

We would like to reiterate our former statement here that, forbidding foreign domestic workers from changing employers would only result in a situation which the foreign domestic workers have to tolerate all the exploitations due to the fear of contract termination. There is a wide range of reasons for termination of contract for both employers and employees. Some domestic workers quit due to the fact that they were being exploited, for instance no reasonable living arrangement was given by the employers. As the situation that Rex encountered, was the problem of unreasonable working requirement and long working hour. Facing the circumstances as such, it is natural for the workers to consider quitting the job and changing an employer.

Aside from that, under the current Immigration regulation, foreign domestic workers are required to depart Hong Kong within 14 days after the termination of contract. There is no incentive for the workers to "abuse the job-hopping". Once a domestic worker is fired, and hired by no one in 14 days, the cost of returning to home country and entering Hong Kong again is tremendous. In addition, the HKSAR government

has turned a blind eye on the prevalent practice of overcharging by the employment agencies, changing an employer for foreign domestic workers means a tremendous cost. The new regulation therefore would only encourage the domestic workers to tolerate the abuse in order to keep the job.

We condemn the Immigration Department for abusing its power, and demand:

1. Provide Rex reasons behind the denial of her working visa
2. Allow Rex to work in Hong Kong
3. Stop discrimination against foreign domestic workers, stop the aforesaid new policy on visa issuance

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