

FILIPINO UNIONS INTENSIFY EFFORTS FOR “ZERO RECRUITMENT FEES AND VIOLATIONS”; WELCOME COVENANT BY HK RECRUITMENT AGENCIES TO STOP CHARGING FEES

Trade unions and domestic workers' groups in Hong Kong and the Philippines – which spearheaded a renewed campaign earlier this year demanding “zero recruitment fees and violations” – have stepped up their efforts for the effective implementation of recruitment regulations in Hong Kong and the Philippines, and in making agencies accountable for recruitment violations.

The Alliance of Progressive Labor-Hong Kong (APL-HK), APL labour centre in the Philippines, Progressive Labor Union of Domestic Workers in HK (PLU), Overseas Domestic Workers Union in HK (ODWU), HK Confederation of Trade Unions (HKCTU), International Domestic Workers' Network (IDWN) and partners released in April this year the results of a survey/action research done in November 2012, which focused on recruitment agencies deploying/processing Filipino domestic workers for HK. The survey named 245 agencies in HK, and 190 agencies in the Philippines.

The research confirmed the “blatant, persistent and widespread” violation of recruitment fee regulations both in HK and the Philippines. The average recruitment charges collected by HK agencies was PHP42,647 (HK\$8,123 @P5.25/HK\$), which is almost 21 times the legal limit (10% of one month's wage) allowed by the Employment Ordinance (Part XII) and the Employment Agency Regulations of HK. The average amount charged by agencies in the Philippines was PHP74,433 (HK\$14,178), which is nearly 4 times the minimum allowable wage in HK, and mocks the 2006 “zero-placement fee” policy of the Philippine Overseas Employment Administration (POEA).

The research further revealed that “the violations are not only in terms of excessive fees, but also practices that undermine or violate labour rights and protection measures for domestic workers (DWs) – e.g. offering wages below the minimum (MAW), giving wrong or no information about DW laws and entitlements in HK, asking DW to surrender personal documents, instructing DW not to complain or join organizations in HK.” [See APL-PLU press statement, 19 April 2013]

The report – which includes the list of all the agencies in Hong Kong and the Philippines, the “scorecard” of violations/practices of each agency, and the overall ranking of the agencies in terms of worst practices/violations – was submitted to the

relevant authorities for further verification and review. ([See attached for scorecards and Recruitment Practices Index ranking of selected agencies.](#))

In April and May, the unions have met with the top officials of the POEA in the Philippines, the Migrants' Committee of the Philippine Congress, the Philippine Consulate, and the Labour Attache in Hong Kong. The conclusions and recommendations have been discussed, and these groups are now coordinating efforts in verifying the information and discussing immediate and long-term actions.

The report was also submitted to the HK LegCo Panel, which will conduct a hearing on 18 June 2013.

The unions and DW groups also welcome the recent announcement (see media reports, 15 June 2013) by the Society of HK Accredited Recruiters of the Philippines (SHARP), which said that 52 of its members have signed a "Covenant for Reforms" promising to comply with the POEA "no-placement fee policy." "This is a substantive step in the right direction. We will monitor their adherence to this covenant," said Luella Mirafuentes of APL-HK.

But the unions are also calling on all the other agencies in HK and the Philippines to commit to the same covenant. "Many of the agencies with the worst practices/violations in HK are not signatories. All the 25 most-frequently used agencies in HK are not signatories. But even if they don't sign, they cannot escape the laws in Hong Kong and the Philippines. We will monitor and expose their overcharging and recruitment violations just the same," said Shiella Grace Estrada of ODWU-HK.

The unions and DW groups are suggesting the creation of a joint complaints hotline (together with the Consulate and relevant authorities in HK and the Philippines) where agencies that overcharge or commit recruitment violations can be reported. Several other immediate and long-term recommendations for actions are being discussed with the authorities in order to effectively address the recruitment problems. The intensified campaign will also involve sustained public education/information drives especially among DWs in Hong Kong and the Philippines. ### 2013-06-16

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