

Battistella, Graziano; Park, Jung Soo; Asis, Maruja M.B.

Working Paper

Protecting Filipino Transnational Domestic Workers: Government Regulations and their Outcomes

PIDS Discussion Paper Series, No. 2011-12

Provided in Cooperation with:

Philippine Institute for Development Studies (PIDS), Philippines

Suggested Citation: Battistella, Graziano; Park, Jung Soo; Asis, Maruja M.B. (2011) : Protecting Filipino Transnational Domestic Workers: Government Regulations and their Outcomes, PIDS Discussion Paper Series, No. 2011-12, Philippine Institute for Development Studies (PIDS), Makati City

This Version is available at:

<https://hdl.handle.net/10419/126839>

Standard-Nutzungsbedingungen:

Die Dokumente auf EconStor dürfen zu eigenen wissenschaftlichen Zwecken und zum Privatgebrauch gespeichert und kopiert werden.

Sie dürfen die Dokumente nicht für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, öffentlich zugänglich machen, vertreiben oder anderweitig nutzen.

Sofern die Verfasser die Dokumente unter Open-Content-Lizenzen (insbesondere CC-Lizenzen) zur Verfügung gestellt haben sollten, gelten abweichend von diesen Nutzungsbedingungen die in der dort genannten Lizenz gewährten Nutzungsrechte.

Terms of use:

Documents in EconStor may be saved and copied for your personal and scholarly purposes.

You are not to copy documents for public or commercial purposes, to exhibit the documents publicly, to make them publicly available on the internet, or to distribute or otherwise use the documents in public.

If the documents have been made available under an Open Content Licence (especially Creative Commons Licences), you may exercise further usage rights as specified in the indicated licence.



Philippine Institute for Development Studies
Surian sa mga Pag-aaral Pangkaunlaran ng Pilipinas

Protecting Filipino Transnational Domestic Workers: Government Regulations and Their Outcomes

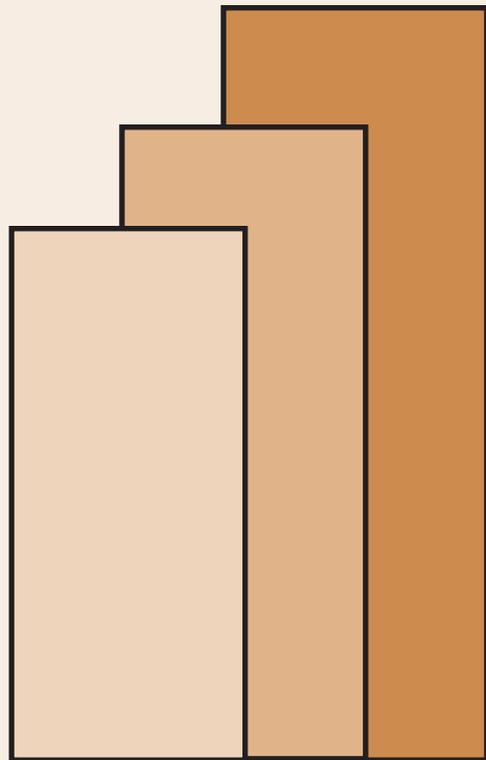
Graziano Battistella and Maruja M.B. Asis

DISCUSSION PAPER SERIES NO. 2011-12

The *PIDS Discussion Paper Series* constitutes studies that are preliminary and subject to further revisions. They are being circulated in a limited number of copies only for purposes of soliciting comments and suggestions for further refinements. The studies under the *Series* are unedited and unreviewed.

The views and opinions expressed are those of the author(s) and do not necessarily reflect those of the Institute.

Not for quotation without permission from the author(s) and the Institute.



July 2011

For comments, suggestions or further inquiries please contact:

The Research Information Staff, Philippine Institute for Development Studies

5th Floor, NEDA sa Makati Building, 106 Amorsolo Street, Legaspi Village, Makati City, Philippines

Tel Nos: (63-2) 8942584 and 8935705; Fax No: (63-2) 8939589; E-mail: publications@pids.gov.ph

Or visit our website at <http://www.pids.gov.ph>

Abstract:

This report presents the findings of a study which sought to examine the impact of Philippine government regulations on the status of Filipino domestic workers. The Migrants Workers and Overseas Filipinos Act of 1995 or RA 8042 and its amendments (RA 9422 in 2006 and RA 10022 in 2010) were aimed at enhancing the protection of migrant women, especially those in domestic work. Part I of the report discusses the regulatory framework set in place by the Philippine government for the purpose of protecting Filipino migrants engaged in domestic work. Part II of the report is dedicated to assessing the outcomes of government regulations on the experiences of Filipino domestic workers. The review of literature, development of instruments, data collection, processing of data and report writing took place between July and December 2010. The report concludes with lessons learned and policy recommendations, which are outlined in Part III.

The study highlighted significant gaps in migrant workers' knowledge and understanding of government regulations. Based on the survey of domestic workers prior to migration, many departing migrant workers were not aware of basic work rights and government regulations, particularly those concerning the HSW reform package. The survey findings also indicate the violation of many government regulations. It is clear from the survey that if respondents had a choice, they would have wanted to work at another job.

The key recommendations based on findings and insights from the study are programs on migration must be improved to promote awareness and understanding of basic policies, rights and decent work conditions. Migrant workers' education program must be reinforced with post-arrival orientation programs in the destination countries must be improved. Reintegration services to distressed migrant domestic workers need to be expanded. An important step forward is a review of the HSW reform package in dialogue and consultation with the different stakeholders. Particularly for the government, it must pursue a clear and coherent policy concerning the deployment of domestic workers.

Key Words:

Migrants Workers and Overseas Filipinos Act, Domestic workers, HSW reform package, Domestic worker emigration, Emigration regulations, Emigration policy improvement

**PROTECTING FILIPINO TRANSNATIONAL DOMESTIC WORKERS:
GOVERNMENT REGULATIONS AND THEIR OUTCOMES***

**A RESEARCH REPORT SUBMITTED BY THE SCALABRINI MIGRATION CENTER
TO THE PHILIPPINE INSTITUTE FOR DEVELOPMENT STUDIES**

**SUBMITTED ON
28 JANUARY 2011**

**FINAL VERSION
SUBMITTED ON 27 MAY 2011**

***ACKNOWLEDGMENTS:** This research was commissioned to the Scalabrini Migration Center by the Philippine Institute for Development Studies. The Center is thankful to the key informants and respondents in the Philippines and Singapore – women migrants and representatives of Philippine government agencies, non-government organizations and the private sector – for their time and willingness to share their views and experiences. Data collection for this study was made possible with the support and cooperation of the Overseas Workers Welfare Administration, Kabalikat ng Migranteng Pilipino, Inc., Kaibigan ng OCWs, Inc, Philippine Association for Service Exporters, Inc., Humanitarian Organisation for Migration Economic, and the Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (Singapore). Their support and cooperation is gratefully acknowledged.

PROTECTING FILIPINO TRANSNATIONAL DOMESTIC WORKERS: GOVERNMENT REGULATIONS AND THEIR OUTCOMES

Graziano Battistella and Maruja M.B. Asis
- Scalabrini Migration Center -

This report presents the findings of a study which sought to examine the impact of Philippine government regulations on the status of Filipino domestic workers. The report is divided into three parts: the policy context of domestic worker migration from the Philippines, the realities of domestic work based on the perspectives and experiences of the workers, and conclusions.

Part I of the report discusses the regulatory framework set in place by the Philippine government for the purpose of protecting Filipino migrants engaged in domestic work. This part was accomplished through literature review, supplemented by key informant interviews.

Part II of the report is dedicated to assessing the outcomes of government regulations on the experiences of Filipino domestic workers. The study collected information from domestic workers themselves to probe their knowledge of government regulations, their views about these regulations, and whether these regulations do enhance the protection of Filipino domestic workers at all stages of the migration process. For this part, the study employed both quantitative and qualitative methods of data collection, which involved the following: (1) a survey of 200 departing Filipino domestic workers; (2) key informant (KI) interviews of government officials and staff of migration agencies and representatives of recruitment agencies; (3) KI interviews of Filipino officials, representatives of NGOs, and two focus group discussions (FGDs) of domestic workers (one group was with participants in an NGO shelter and one group was with non-shelter participants) in Singapore; and (4) one FGD with repatriated workers.

The data collected from these mixed-methods approach address the different stages of the migration process: the survey probed into migrant workers' pre-migration phase; the KIs with stakeholders in the Philippines provided information on the development of government regulations and the impact of these regulation from the vantage points of the government and private sector; the FGDs and KI interviews with domestic workers in Singapore explored the impact of Philippine government regulations while the workers are overseas (duly taking into account Singapore's particular context); and the FGD with repatriated workers attempted to provide a picture of the experiences and perspectives of returning domestic workers who encountered problems when they were overseas.

Further details about the selection of research participants are presented in the methodology section of Part II. The review of literature, development of instruments, data collection, processing of data and report writing took place between July and December 2010. Copies of the questionnaire, the guide questions used in the Philippines and the guide questions used in Singapore are provided in Annexes 1, 2 and 3. A list of the key informants and their institutional affiliations is summarized in Annex 4. In the presentation of findings, the names of the key informants and FGD participants are not reported to protect their identity. The report concludes with lessons learned and policy recommendations, which are outlined in Part III.

PART I

THE POLICY CONTEXT OF DOMESTIC WORKER MIGRATION FROM THE PHILIPPINES

1. CONTEXT AND TRENDS OF DOMESTIC WORKER MIGRATION FROM THE PHILIPPINES

The Philippine international labor migration system has been scrutinized through various lenses: the policy lens emphasizes how the Philippines has developed a complex set of rules and institutions to oversee the flow of migrant workers, with an orientation towards facilitating the deployment of migrant workers; the protection aspect uncovers the many problems faced by migrants despite the protection mechanisms enacted by the government; the development aspect examines the impact of remittances on the families of migrant workers and the economy in general, with the cautionary note that remittances do not generate the sufficient momentum to render overseas labor a choice rather than a necessity - recently, this analysis underscores the neglect of migration in development plans at the national and local level; and the social aspect analyzes the impact of migration on the families left behind and on society in general. Several other specific issues have attracted the attention of researchers and scholars: irregular migration (particularly the irregularities within the recruitment system); the migration of women and its impact on migrants and their families; the migration of specific categories of women migrants, notably domestic workers, entertainers and nurses; and the role of civil society as a stakeholder in the migration context. These analyses have utilized a variety of research instruments, with an increasing preference for the mixed approach (quantitative as well as qualitative analysis).

In undertaking a study of Filipino domestic workers, it is useful to begin with the accumulated knowledge of previous research. As a starting point, this paper will examine the general context of migration flows within which to situate domestic worker migration. This will be followed by the following discussions: general conclusions from the body of research on domestic workers; policies concerning domestic workers, particularly the 2006 reforms which were implemented in 2007, focusing on its intentions and actual outcomes; recent developments in the international context, particularly the draft ILO convention on domestic workers; and concluding with indications of issues and recommendations.

Data on Filipino Labor Migration in General and Domestic Worker Migration in Particular

The overseas labor program started almost 40 years ago and these years have been marked by growth in various directions (e.g., Asis and Roma, 2010; Asis, 2008a, b; Asis, 2006). First, the deployment of workers has trod an upward trend since the 1970s, except for a temporary dip in some years. After a spectacular increase in the early 1980s, driven mostly by opportunities in the Middle East, a notable change occurred in the mid-1980s, coinciding with the transformation of labor needs in the Middle East, when the demand for construction workers diminished while the demand for other types of workers – maintenance workers, nurses, domestic workers, sales workers and others – increased (Table 1). There was a temporary drop in 1990, as a consequence of Operation Desert Storm against Iraq, but deployment quickly rebounded, particularly to Saudi Arabia in recognition of the Philippines' support during the war. The decline in the mid-1990s coincided with the crisis in Singapore, following the execution of Flor Contemplacion, and the consequent adoption of the Migrant Workers and Overseas Filipinos Act of 1995 (Republic Act No. 8042 or

RA 8042), which was aimed at increasing the protection of Filipino workers.¹ Although the law called for selective deployment to countries which promote workers' rights and protection, it did not result in lower deployment of workers in less skilled jobs. The economic crisis in Asia in 1997 interrupted the government's intent to apply selective deployment; instead, due to the crisis, the Philippines – like other countries of origin – looked to overseas employment as part of strategies to weather the difficulties posed by the crisis. Thereafter, worker deployment resumed its upward trend. Contrary to the goal of RA8042 to prioritize worker protection and the declaration that the Philippine government does not promote overseas employment as a development strategy, by the 2000s, government agencies were directed to ensure the expansion of deployment in foreign labor markets. The annual target of deploying one million overseas Filipino workers (OFWs) was reached in 2006, which includes both land-based workers and sea-based workers. As a standalone group, land-based workers surpassed the one million-mark in 2009.

Second, the geographical distribution of OFWs has expanded and diversified. The Middle East though has remained the primary destination of OFWs (64 percent in 2009, Table 2). From the 1980s, Hong Kong, Japan, Malaysia and Singapore started hiring OFWs; Taiwan and Korea followed a little later. Presently, deployment to East and Southeast Asia accounts for 25 percent of annual outflow. Deployment to Europe has also registered an increase. Labor migration to Europe is distinctive because it allows for permanent settlement and as such, it has given rise to a Filipino diaspora, which has been supplemented by migration for family reunification.

The diversification of OFW destinations has not substantially altered the ranking of top countries where Filipinos find employment (Table 3). As mentioned earlier, the Middle East remains the major labor market for Filipino workers, with five Gulf countries ranking among the top 10 destinations of OFWs. Saudi Arabia has consistently ranked as the primary destination, with over a quarter of Filipino workers employed there. Hong Kong and Singapore in East and Southeast Asia, respectively, are major destinations, both of which employ large numbers of Filipino domestic workers.

Third, female migration has increased, as indicated by data on newly hired OFWs, for which gender-disaggregated data have been available since 1992 (Table 4). After an uninterrupted pattern of male predominance, since the 1970s, the gender composition of migrants reached parity in 1992, and thereafter, women migrants outnumbered their male counterparts among the newly hired land-based workers. In the early 2000s, for every newly hired male migrant worker there were three to four female migrant workers. Female predominance was fuelled by the demand for domestic workers and entertainers, occupations which consist mostly of women (Table 5). Among the countries deploying female migrants, the Philippines was unique in allowing the official deployment of entertainers or overseas performing artists, with Japan as the primary destination. Female migration declined in the mid-2000s following two specific policy changes. In 2004, the Japanese government streamlined the admission of entertainers in response to the US government's trafficking in persons report which cited Japan as a country which was passive in its anti-trafficking efforts. The change was dramatic. In 2005, the number of entertainers deployed to Japan dropped to under 10,000, down from 70,000 during its peak in the previous years. The second change manifested in 2007, the implementation of the household service workers reform package. A

¹ For more details about the development and implications of RA 8042, see Gonzales (1998) and Battistella (1995).

major component of annual labor deployment outflow from the Philippines, the number of domestic workers declined in 2007 and 2008, reflecting the immediate impact of the reforms.

Fourth, the stock of overseas Filipinos has consistently grown over the years. The revised estimate, provided by the Commission on Filipinos Overseas (CFO), indicates that about 8.6 million Filipino nationals were abroad at the end of 2009 (Table 6), approximately 9.5 percent of a population estimated by ESCAP at 90.5 million.² While the overseas Filipino population has grown in absolute numbers (in the year 2000 Filipinos abroad were 7.3 million), its share in relation to the total population has remained fairly constant (9.4 percent in the year 2000). As of 2009, the overseas Filipino population is about evenly split between permanent migrants (47 percent), who are mostly in the United States (US), Canada and Australia, and temporary workers (45 percent, including seabased workers), most of whom are in the Middle East. Compared with the 2000 figures, the 2009 estimate of permanent migrants has increased by 37.1 percent, while that of temporary migrants grew by only 15.1 percent. The drastic reduction in the estimate of Filipinos abroad in an irregular situation partly reflects improvements in the consultation process and data collection of migrants in this category.

In terms of the occupational distribution of OFWs, service workers had always constituted an important portion of total deployment, particularly among the new hires. In absolute numbers, an important jump occurred in 2004, when service workers surpassed the 100,000- mark; in 2005, this occupational group reached the highest percentage of new hires (47 percent, Table 7). The already mentioned decline of domestic workers in 2007 and 2008 was temporary as an increase resumed in 2009.

As Table 7 shows, most of the service workers are domestic workers. This share, which was often over 70 percent, declined in the 2000s, particularly in 2007-2008, for the reasons already mentioned (Table 7). Household and related workers constantly topped the list of top occupations of OFWs among the new hires. Traditionally, almost one in three newly deployed workers was a household worker and the vast majority (normally over 96 percent) are women (Table 8).

A comparison of the top countries of employment for Filipino domestic workers in selected years shows some constants and some variations. Among the constant trends is the lion's share of Hong Kong, Saudi Arabia and Singapore (Table 9) as destination countries of Filipino domestic workers. In 1995, these three countries accounted for 81 percent of all newly hired domestic workers. Singapore's share, however, went down after 1995. The obvious reason is the temporary suspension of domestic worker deployment to Singapore following the execution of Flor Contemplacion in 1995. The less obvious reason and a highly likely explanation is that Filipinos can find employment in the city-state without passing through the procedures of the Philippine Overseas Employment Administration or POEA (this will be detailed later). Saudi Arabia also decreased its intake of domestic workers, but this was compensated by increased demand in other Gulf countries, such as the United Arab Emirates (UAE) and Kuwait. A strong importer of domestic workers in the 1990s, Malaysia has ceased as a major destination country following a policy decision stating a preference for Muslim domestic workers.

²The Commission on Filipinos revised the formula for coming up with the stock estimate and applied it from 2004.

Several generalizations may be drawn from the overview of transnational labor migration from the Philippines: more and more Filipino workers are interested in working abroad; they are pursuing new places to work in - they are present in 193 countries, although the bulk of labor migration heads toward the Middle East and East and Southeast Asia; migratory flows are affected, at least temporarily, by changes in domestic policies and external shocks; migration has generated a sizable Filipino population overseas, which is equivalent to almost ten percent of the population. In addition, migrant women are strongly represented in specific occupations, notably domestic work, nursing and caregiving. The concentration of women migrants in these occupations has led to the reading of female labor migration as mostly the transfer of care work to women migrants. In particular, domestic workers have long constituted a significant component of transnational labor migration, with the Gulf region and East and Southeast Asia as major labor markets. Considering the far from ideal work conditions in these labor markets, domestic worker migration has raised concerns over workers' welfare and protection. It has been an old mantra that domestic workers account for 20 percent of overseas deployment but 80 percent of its problems. In response to concerns and persistent instances of abuse perpetrated against domestic workers, various governments have implemented corrective measures, ranging from restricting female migration by requiring certain conditions before women migrants are allowed to work abroad to imposing outright bans on specific countries associated with dangerous working conditions. Before reviewing the development of these policies, it is relevant to highlight in general terms some of the conceptual understandings of transnational domestic labor as elaborated by the research community.

2. UNDERSTANDING THE TRANSFER OF CARE WORK OR DOMESTIC WORK

Traditionally, domestic work is viewed as voluntary work carried out by women in the family as a labor of love. When it is paid and performed by women outside the family, it is generally valued less and is considered less skilled work. Societies differ considerably in the recourse to paid domestic work. Employing a domestic worker is not uncommon in the Philippines while it is a rare practice in Japan. The term referring to a domestic worker in various Asian languages implies gendered nuances. In China the single female servant was called *amah*, while *mui tsai* referred to young girls sold into domestic work. In Thai *mae-baan* can indicate both housemaid and housewife. In Korea, *nobi* is attributed to both male and female servants (Yeoh, Huang and Rahman, 2005). In Filipino, the term for domestic workers used to be *katulong*, but it has been replaced with *kasambahay* - which signifies a shift in meaning from servant to cooperator in household work (Asis, 2005a). These different terminologies imply varying cultural understanding of domestic work, which can be instructive in understanding conceptualizations and interpretations of domestic work in contemporary societies and economies.

A common denominator in many societies and cultures is the association of domestic work with women. At the basis of such understanding is the link between mothers and child care, particularly in the early period of child's life. Confined at home with the care of children, women have also taken up household chores leaving to men the duty to provide sustenance. Such a strict division of labor has changed with the change in the basis of economic production. For the most part, however, women continue to bear more responsibility for care work and domestic chores.

When both men and women participate in the formal labor market, there is a need to relegate to others the daily chores of domestic work or what is called as social reproduction (or reproductive work) or what other scholars have also termed as care work. Although recourse to paid domestic work is not the only option, it is a common solution chosen by dual-income couples to enable them to participate in paid work.

Given the cultural underpinnings of domestic work, the choice of paid work to avoid confinement in domestic occupations also hints at a cultural (and political) motivation, i.e., to escape from a submissive position which is connected to the performance of domestic work. Moving out of domestic work is like “buying oneself out of gender subordination” (Parreñas, 2000). Women who are able to do so, however, transfer the care work to other women (including foreign women), which entails commodifying domestic labor as unskilled and low paid labor in the process.

The devaluing of domestic labor is not only connected to its transfer to foreign workers, who come mostly from developing countries and are paid a lower salary, but also to the disregard of the protection of the rights of domestic workers. The huge gap between supply and demand in this particular sector and the competition between domestic workers from different countries of origin also contribute to driving down their wage levels.

In Asia and the Gulf Region, domestic work typically entails a live-in arrangement, in which the domestic worker becomes “part” of the employer’s household. This requires a sufficient level of trust between employer and employee. When the domestic worker is a foreigner, the difference is more palpable because of the additional element of cultural distance. As the “other,” employers may view the migrant domestic worker as a servant or as an intruder and a threat to family life, which can have implications on the treatment of the domestic worker. Cultural considerations have influenced employers in some destination countries to recruit domestic workers of the same or similar cultural background – e.g., the preference of Malaysian employers to hire domestic workers who are also Muslim.

Cultural differences also play a role in the differential treatment of migrant worker of different nationalities. Ethnic differences, both real and imagined, can be used as a reason for the varying wages paid to women from different countries, as in the case of Indonesians compared with Filipinas. The latter’s better knowledge of the English language and their higher level of education translates into higher salaries. But in addition, ethnic stereotypes can contribute to ethnic-based stratification of migrant workers.

When domestic worker migration is examined at the regional level, countries of origin exhibit different approaches to female migration (Oishi, 2005). Sri Lanka has a rather liberal emigration system, which imposes few limitations on the migration of women as domestic workers. In recent years, the share of Sri Lankan women leaving as domestic workers has declined in line with the government’s goal to send other types of workers. In the Indian case, gender concerns rather than the labor aspect of domestic work have resulted in a paternalistic approach to the issue. Bangladesh had an on-off ban on the deployment of women as domestic workers. It decided to allow domestic worker migration under certain conditions in 2002 and relaxing other conditions in 2005. The policy discourse in the Philippines fluctuates between promotion and protection (this applies to international labor migration in general). When the two collide, it is normally the protection aspect which gives way. Concerns for protection can lead to difficulties in

deployment procedures and can thus be disregarded.³ Indonesia has increasingly become a competitor of the Philippines in the domestic work sector in the international labor market. The lower salary of Indonesian workers enhances their “marketability.”

Destination countries are normally open to and aim to welcome more highly skilled migrants while the hiring of unskilled migrant workers is discouraged in various ways. Domestic work is discouraged first of all by restricting occupational mobility. Normally, the worker is tied to a single employer – changing employers is extremely difficult. In Hong Kong, a domestic worker who loses a job only has two weeks to find another employment or face repatriation. Malaysia and Singapore discourage their nationals to marry household employees. In addition, Singapore requires bi-annual pregnancy tests. With these measures, domestic workers are forced to remain in a transient status, which favors the flexibility of the labor market.

3. POLICIES ON THE MIGRATION OF FILIPINO DOMESTIC WORKERS

The migration of Filipino women to take up domestic work overseas is an extension of patterns observed in internal migration in the Philippines. Long before large scale overseas employment took root in the Philippines, domestic work was already one of the occupational options for Filipino women (Asis, 2005). By the 1970s, the migration literature recognized that Filipino women were actively participating as autonomous migrants in internal migration and in fact, they outnumbered male migrants in rural-to-urban migration. There were two readings for this pattern: (1) opportunities for domestic work in urban areas is one of the major drivers of rural-urban migration of women, and/or (2) the arrival of rural women in urban areas increases the pool of potential workers who can be hired for domestic work.

The demand for domestic workers in the international labor market paved the way for the participation of Asian women in international labor migration by the 1980s. The Philippines, Indonesia and Sri Lanka responded to the need for foreign domestic workers that emerged in the Middle East and East and Southeast Asia. All three countries deploy more female migrants than male migrants – in recent years, the share of female migrants has declined in the case of the Philippines and Sri Lanka. It is noteworthy to mention that Filipino women started migrating for domestic work at about the same time as the government-initiated labor deployment to the oil-rich Gulf countries in the 1970s. Since their migration was mostly on their own and they found work in private households, women’s migration to Southern Europe was largely a silent and invisible one. It was years later, i.e., following regularization exercises, when their presence in Southern Europe was discovered. After securing their legal status, they obtained the right to residence, employment, family reunification, and the option to apply for citizenship (Asis, 2005a). Particularly in Spain, once Filipinos are regularized, they have the option to obtain Spanish citizenship in two years’ time – as a former colony of Spain, Filipinos have a shorter time requirement compared to nationals from other countries. In summary, Filipino migration to Italy and Spain went through various permutations, starting from labor migration through unauthorized channels, to being transformed into legal residence and employment, to family

³ For a general discussion on the difficulties of striking a balance between protecting OFWs and promoting overseas employment, see Agunias, 2008; Agunias and Ruiz, 2007. The protection-promotion conundrum also came up in the wake of the 2008 global financial crisis (e.g., see Asis, 2010).

reunification, to de facto permanent settlement. In general, even at a time when migrant workers were in Italy and Spain in an unauthorized situation, they encountered fewer problems compared to domestic workers in a legal situation in Asia, including West Asia or the Middle East.

By comparison, domestic worker migration to the Middle East and East and Southeast Asia proceeded differently. As mentioned earlier, female migration to the Middle East was part of the changing labor needs of the region, following the completion of huge infrastructure projects by the late 1970s and early 1980s. The hiring of foreign domestic workers was not motivated by the entry of local women in paid employment but was more related to lifestyle changes, i.e., having a domestic worker was a status symbol. In contrast, in East and Southeast Asia, the absorption of local women in paid employment created a shortage of care workers in the homes. As such, the hiring of foreign domestic workers was a response to address the void left by local women who took on paid employment. In this instance, foreign domestic workers assumed the care work of local women, thereby allowing the latter to enter the paid labor market. Hong Kong, Singapore, Malaysia and Taiwan⁴ emerged as major destinations of foreign domestic workers, which were initially dominated by Filipino women. Later, Filipino domestic workers faced competition with Indonesians – in Malaysia, for example, the large majority of domestic workers are Indonesians.

Female migration in Asia, including the Middle East, adhered to the legal migration procedures which have been codified following years of large scale deployment of male workers. The legal deployment process was the same for male and female migrants, although in the case of the latter, additional protective mechanisms or requirements were set in place. There is a minimum age requirement for departing domestic workers – the minimum age has been modified several times, from 25 years (in 1994) old to 21 years old (in 1998) to 18 years old (in 2001) to 25 years old in the 2006 Household Service Workers Reforms before finally setting it at 23 years old (part of the amendments of the 2006 reform package). Before leaving the country, all workers must attend the pre-departure orientation seminar (PDOS), which provides information on working abroad. For those leaving as domestic workers, the PDOS is handled by accredited non-government organizations to ensure that they are provided information on migrants' rights.⁵ Onsite, resource centers are present in a number of destination countries – these centers serve as a shelter for distressed workers. The government also deploys labor attachés and welfare officers in major countries of destination to provide support and assistance to OFWs. In the event that OFWs encounter legal problems abroad, OFWs will be assisted by the Office of the Undersecretary of Migrant Workers Affairs (under the Department of Foreign Affairs). Both male and female migrants who are OWWA members (as well as their family members) are provided with protection and benefits, such as medical or health care, disability and death benefits; educational and training services; workers' assistance onsite; and social welfare benefits. Upon their return to the Philippines, the government has set up the National Reintegration Center for OFWs (NRCO) to facilitate the return and reintegration of OFWs. In response to chronic cases of abuse and exploitation against domestic workers, the POEA introduced the Household Service Workers Reforms in 2006 in a bid to deal decisively with the problems faced by domestic workers. More details are provided in a separate section below.

⁴ Taiwan regulates the intake of foreign caretakers by limiting their hiring to families that have members – children or elderly – in need of special care.

⁵ This was reinforced more recently via PDOS Advisory No. 06, Series of 2009, issued by OWWA on 18 March 2009.

4. THE HOUSEHOLD SERVICE WORKERS REFORM PACKAGE: IDEALS VS. REALITIES

The oft-cited Household Service Workers (HSW) Reform Package refers to a series of policy decisions issued by the POEA Governing Board in 2006 to strengthen the protection of Filipino domestic workers. The reforms were prompted by the steady stream of problems experienced by Filipino domestic workers throughout the migration cycle. The reforms (some of which were later amended) consisted of the following provisions: setting the minimum age at 23 years old, requiring departing domestic workers to complete a National Certificate for Household Workers (HSW-NCII) issued by the Technical Educational Skills Development Authority (TESDA) and country specific Language and Culture Certificate of Competence or attendance issued by OWWA, waiving the payment of placement fees, and requiring a minimum monthly salary of US\$400. The reforms are a combination of additional training requirements on the one hand, and more benefits for migrant workers on the other hand. According to the Board Resolution, the salary increase to US\$400 was long overdue as the US\$200-rate has been unchanged in the last decades. The reforms are premised on professionalizing domestic work and minimizing the vulnerabilities of workers. The use of the term “household service workers” was a deliberate choice, according to a key informant, to improve the status of domestic workers.⁶

Considering the steep placement fees and low salaries, these measures seem bold. Although the stated or explicit goal is to institute better protection for domestic workers, the stringent conditions effectively restrict domestic worker migration. In fact, the conditions seem to ban the departure of domestic workers without calling the action a ban. An interview with a government official confirmed that the HSW reforms were indeed aimed at discouraging the deployment of domestic workers, especially to countries which have record cases of violations.

The reforms received mixed reviews. Some sectors – the Episcopal Commission for the Pastoral Care of Migrants and Itinerant People (ECMI) and the Association for Professionalism in Overseas Employment Inc (ASPROE)⁷ – supported the reforms, but most groups, including NGOs, the recruitment industry, and migrant workers opposed the changes. The main objections were the lack of consultation with stakeholders and the loss of employment, especially for women. The competency and language requirements were also blasted as income generating activities for the government and more burdens for women migrants. Recruitment agencies and their foreign counterparts as well as employers were required to undergo verification processes, which were not well-received. Employers balked at the minimum salary and what seemed to them onerous requirements to obtain verification from the Philippine Overseas Labor Offices (POEA Memorandum Circular 14, Series of 2006).⁸ The employers’ reaction was best manifested by the drop in domestic worker deployment in 2007 and 2008 (*see* Table 7). However, as suggested by key informants representing government agencies and the recruitment agencies, the decline in the number of domestic workers may be artificial because the workers may have been reprocessed under other job categories, a strategy to work around the requirements for domestic worker deployment (*see* Table 5).

⁶ This might create some problems though because the generally accepted terminology is domestic workers, including ILO’s draft Domestic Worker Convention.

⁷ ASPROE is a group of recruitment agencies which practices a no-placement fee.

⁸ Filipino domestic workers interviewed in Singapore validated the complaints of their employers about POEA requirements.

The rise in the number of domestic workers deployed in 2009 calls for some explanation – does this mean that there has been an increase of recruitment agencies and employers fully complying with the conditions of the reforms? Or could the increase reflect new ways of subverting the requirements?

Although the sample is far from representative, interviews conducted with domestic workers in Singapore, both distressed and non-distressed, and focus group discussion with a group of repatriated domestic workers found that the US\$400 monthly salary is not honored. In fact, before leaving for their overseas assignment, they were already aware that they were going to receive less than US\$400 per month, which was acceptable to them. In the case of distressed workers, their main reason for running away from their employers was less about the amount of the salary (except for those who were not paid), but other conditions, such as overwork, having to work for several households, withholding of food, and abuse. The research conducted in Singapore also indicates rampant violation of the reforms pertaining to placement fee waiver and minimum salary. If the reforms are not enforceable, what purpose do they serve and what should be the way forward? More details from the interviews and focus group discussions are presented in Part II. Several developments in 2010 are worth mentioning.

In July 2010, labor attachés and DOLE officials had a consultative meeting to strengthen the protection of domestic workers abroad. The meeting produced the following recommendations: “improvement in the quality of TESDA skills assessment and certification system, strict enforcement by POEA of “no reprocessing,” “no-nonsense” accreditation of employers, quick blacklisting of exploitative employers, immediate preventive suspension of erring licensed recruitment agencies, faster case build up on welfare cases, fast and efficient system of work exit issuance arrangement with host countries, and transparent and effective immigration departure procedures” (DOLE, 2010a:15). It is interesting to note that the recommendations are silent on the issue of the US\$400 monthly salary.

A Memorandum of Understanding (MOU) signed between the Autonomous Region of Muslim Mindanao (ARMM) and Malaysia on 3 February 2010 stirred some controversy because it set an example of the government bending its own rules. The MOU provided for a pilot project that will involve the hiring of 1,000 Muslim domestic workers for a period of six months at a minimum monthly salary of US\$300. At the end of the six month-period, more deployment was envisioned if the policy had a positive assessment. The implementation of the agreement was suspended due to criticisms by advocates, consideration of Indonesia’s ongoing ban on the deployment of Indonesian domestic workers to Malaysia because of abuse cases, and the Aquino government’s emphasis on stronger protection of OFWs, especially those in vulnerable occupations. On 4 October 2010, the POEA Governing Board decided to suspend the MOU.

The most recent amendment to RA 8042, “An Act Amending Republic Act No. 8042 Otherwise Known as the Migrant Workers and Overseas Filipinos Act of 1995, As Amended Further, Improving the Standard of Protection and Promotion of the Welfare of Migrant Workers, Their Families and Overseas Filipinos in Distress, and for Other Purposes” (RA 10022), took effect on 13 August 2010. Although it was hailed as providing more protection to OFWs, stakeholders are uncertain about its real impact and the issue of accountability towards OFWs. One controversial provision pertains to the certification process that must be undertaken by Philippine foreign service posts – i.e., they are required to submit to the POEA Governing Board whether the country in their jurisdiction has safeguards to protect the rights of Filipino migrant

workers. The certification must be completed by 11 November 2010 where the Philippines maintains embassies and 11 December 2010 for countries where there are no embassies. The certification of the Department of Foreign Affairs will then become the basis for the POEA Governing Board “to determine the appropriate deployment policy to be adopted in each market” (DOLE, 2010a: 14). Another provision in RA 10022 that has invited many questions concerns the mandatory insurance for OFWs. Sec 23 (amending Sec 37-A of RA 8042) requires recruitment agencies to have coverage for OFWs, on top on the OWWA coverage (DOLE, 2010a: 15). RA 10022 also stresses the promotion of stronger bilateral and multilateral relations with destination countries to promote the protection of OFWs. Reports as of 30 December 2010 noted that there was initially a 52 percent drop in the number of processed applications following the first week of the enforcement of the mandatory insurance. There was a marked increase by the second week, and many of those leaving were HSWs (Jaymalin, 2010). The deployment figures for 2010 have yet to be released, but most likely, the increased deployment of domestic workers observed in 2009 will continue in 2010.⁹

5. THE ROLE AND POSITION OF THE MIGRATION INDUSTRY

The deployment of overseas labor is largely in the hands the private sector, which currently number more than a thousand. Only a minimum number of workers go abroad through a government deployment process. The participation of the private sector was already established in 1978, with the granting of permission to private agencies to participate in the deployment of workers overseas. Since their emergence, recruitment agencies have been credited for providing jobs to migrants, but in equal measure, they have gained notoriety for malpractices and irregularities. As the government and its specialized agencies have tightened the regulation of the private sector and the procedures for labor deployment, agencies have become more imaginative in circumventing the rules.

The procurement of job opportunities and the deployment of workers follow a typical sequence, which begins with the foreign employer contacting an agency abroad to hire a domestic worker. The foreign agency contacts its counterpart in the Philippines, which has on file applicants or persons willing to work abroad as domestic workers. The agency matches the job order and, after fulfilling the various requirements, deploys the domestic worker to the agency abroad, which in turn places the worker with the employer. Agreements between Philippines-based and foreign agencies ensure, in the opinion of recruiters, that the worker is given a safe and decent employment. It is also for this reason that key informants from the recruitment agencies did not consider domestic work as a vulnerable occupation; rather they attributed the problems of domestic workers to the irregular practices of unlicensed recruitment agencies.

Obviously, many things can go wrong in the sequence of procedures.

- The foreign agency might request for an excessive number of domestic workers, without corresponding employers, to divert the worker to a different job.

⁹ The Institute of Labor Studies conducted an assessment of the HSW reform package. Findings of the study were presented at a forum in 2010. As of this writing, the report is not yet available.

- The worker might not meet the requirements prescribed by regulations (the most common, is the minimum age of 23 years old) and simply fakes the necessary documentation.
- Despite the no placement fee policy, applicants for domestic employment overseas continue to pay hefty placement fees.
- The local agency might process the workers with full knowledge that the conditions prescribed in the standard labor contract will not be met. This can happen with or without the worker's knowledge and consent.

The industry's reaction to the 2006 HSW reform package has gone in two directions. One, pragmatically, the industry has found ways to continue deploying domestic workers, particularly in the Middle East market, without following the required procedures. This has usually taken the form, which in the industry's slang is called "repro," short for reprocessing. Briefly, it goes this way. A foreign agency contacts the Filipino agency for a number of domestic workers. However, the agency cannot meet the conditions prescribed by POEA's regulations. Nevertheless, the Filipino agency is able to obtain a power of attorney to get the visas for the number of domestic workers to be deployed overseas. Not being able to deploy the workers as domestic workers, since the required conditions cannot be met, the agency contacts other agencies in the Philippines, which might have access to job orders in other categories (such as cleaners, etc.). It buys those job orders and then deploys the workers as cleaners, or otherwise, but utilizing the visas for domestic workers. Eventually, those persons go abroad and are employed as domestic workers, but in the Philippines they are processed as cleaners or otherwise. Obviously, the cost incurred by the agency to buy the job orders from other agencies is dumped on the domestic worker.

The second direction the industry has taken is to lobby for amending the 2006 regulations with the following motivations:

- It is not possible to deploy domestic workers in some markets, particularly the Middle East (which also happens to be an important market), at the minimum salary required by POEA.¹⁰
- The reforms restricting the employment possibilities of Filipino women and eventually reduce the level of remittances sent to the country.

In lieu of the current regulation, the industry is proposing a ladderized salary system, according to the domestic worker's qualifications. While the first solution constitutes illegal recruitment and is subject to prosecution, the second might indicate an imaginative way to enter into negotiations with foreign agencies and employers and improve deployment opportunities. This approach raises the question whether it is the government's duty and privilege to establish minimum salaries for nationals working abroad and whether the government is willing to enter salary negotiations with foreign partners, when foreign partners simply leave this to the market and to employer-employee negotiations.

The study sought the views of recruitment agencies on government regulations and how these impact on the workers and on the industry itself. We were able to have a consultation with several members of the

¹⁰ According to several key informants, their approach is to inform the applicant about the real salary and if she accepts it, then the recruitment proceeds. According to them, this is their way of being transparent. The contract presented to POEA, however, "complies" with the required minimum salary.

Philippine Association of Service Exporters, Inc. (PASEI) on 19 October 2010. Organized in 1980 to “advance and develop the Philippine overseas employment sector,” PASEI is an umbrella association of more than 750 members and affiliates which account for over 70 percent of all manpower placements in the Philippines.

PASEI was among those in the migration industry which aired reservations about the effectiveness of the HSW reforms. Following the announcement of the reforms, the organization sent a letter to then President Gloria Macapagal Arroyo on 18 December 2006, stating that the reforms may have unintended consequences and proposed instead a ladderized salary scale for domestic workers.¹¹ According to the letter, in principle PASEI supports the upgrading of skills and qualifications of HSWs which will justify an increase in their salaries beyond US\$200. It expressed concerns that:

- the across-the-board salary increase to US\$400 can result in distortions and disparities vis-à-vis other OFWs and between old and new HSWs;
- instead of discouraging domestic worker migration, the US\$400 monthly salary may inadvertently promote domestic worker migration; it may even entice other workers to become domestic workers in view of the higher earnings of newly hired domestic workers compared to other skill categories; and
- where labor receiving countries cannot comply with the US\$400 monthly salary (e.g., countries in the Middle East and East and Southeast Asia), this can lead to irregularities, such as contract substitution, “repro,” escort system in the airport to facilitate deployment, and a general increase in illegal recruitment activities.

PASEI’s claim of possibly numerous cases of “repro” contracts was based on an examination of POEA deployment data. While the deployment of domestic workers decreased in 2007 and 2008, it is indeed interesting to note that other related types of workers registered an increase (see also earlier discussion). The discrepancy in the greater number of departing domestic workers who underwent PDOS provided by NGOs and the fewer number of domestic workers who completed the Comprehensive Pre-Departure Education Program may reflect repro cases. It is also possible that NGOs are providing PDOS to non-domestic workers, and if they do, they are violating the PDOS guidelines.

PASEI proposed a ladderized salary scheme that takes into account the training and experience of domestic workers. The scheme may be something like:

- a minimum of US\$200 for ordinary, all around first-timer domestic workers;
- US\$300 for domestic worker cum sewer/dressmaker/cook/babysitter;
- US\$400 for domestic worker cum tutor/governess/caretaker;
- higher salaries, upon contract renewal, as agreed between employer and employee.

¹¹ A copy of the letter was kindly provided to SMC by Mr. Victor Fernandez, Jr, president of PASEI.

Some of the participants in the discussion confirmed the point made earlier about recruitment agencies finding ways to get around the provisions of the reform package. They acknowledged that the US\$400 minimum monthly salary was beyond what many employers can afford (among the few exceptions are Hong Kong, Taiwan and Italy). Given the demand for Filipino domestic workers (but at salaries lower than US\$400), and Filipino workers needing employment (and the unspoken interest of recruitment agencies to earn revenues), they said they were aware of recruitment agencies deploying domestic workers without fully complying with government regulations. As mentioned earlier, recruitment agencies inform applicants about the actual wages that they will receive and if the applicants agree, the worker's deployment is then processed. The bottomline is, given the lack of jobs with decent income in the country, PASEI believes that working abroad as a domestic worker "should remain an option as long as sound and solid protections are in place."¹²

The participants stressed that domestic worker migration is not inherently problematic. Several participants also did not consider the Middle East as a difficult work environment for domestic workers. Qatar, according to one informant, was one of the "best" destination countries for OFWs. They argued that the problematic cases arise out of the irregular practices of illegal recruitment agencies which do not consider the welfare of the workers that they deploy. They considered it unfortunate and unfair that media reports do not distinguish between legal and illegal recruiters. Among the participants in the discussion are recruitment agencies that have been in the job placement industry for a long time; one agency was established as far as back the 1960s. They said that the government should go after the irregular practices of errant actors in overseas employment. They urged that "airport deployment" (i.e., worker deployment that bypasses POEA) has to stop. Some agencies also agree to serve as "dummies" One reason why unauthorized migration to the Middle East countries has increased is not only because of illegal recruiters but also because of OFWs finding ways of bringing their relatives over, some of whom also charge fees. They also brought up the irregularities of assessment centers that evaluate and issue the certificate of competency to domestic worker applicants. According to them, assessment centers now number about 50 and the evaluation of the domestic workers' competency has become another money-making enterprise. They also cited irregularities in the conduct of PDOS. They questioned how come NGOs, which are supposed to provide PDOS to departing domestic workers, are accepting non-domestic workers. They also remarked on some NGOs collecting "rebates" from participants.

They remarked that RA10022 will pose further difficulties for licensed recruitment agencies. PASEI opposes the mandatory insurance and is pushing instead for voluntary insurance. They also expressed concerns that the certification process of destination countries will also affect the employment opportunities of skilled workers.

¹² From the presentation of Mr. Victor Fernandez, Jr., "REPRO," during the 30th Celebration of PASEI, Theme Y-2010, "Raising the Bar of Ethical Conduct and Best Practices of Overseas Employment Service Providers in 2010."

6. THE INTERNATIONAL FRAMEWORK

The expansion of domestic work to international migrants and the corresponding globalization of problems arising from domestic work have moved the International Labor Organization to examine the possibility of drafting and adopting an international instrument on domestic work. In March 2008, the ILO Governing Body agreed that the International Labor Conference (ILC) of 2010 will include standard setting for domestic workers in the agenda. After preparing a background document on domestic work, the ILO consulted its constituents (i.e., representatives of governments, employers and workers) through a questionnaire. The questionnaire comprised of 63 questions. The first part (questions 1 to 35) dealt with the instrument as a convention; the second part focused on questions about the instrument as a recommendation. The Philippines participated actively in this phase.

There was agreement among the Philippine government, employers and unions on the question of whether there should be an instrument on domestic labor. The government suggested that the instrument should be in the form of a convention; the unions were in favor of a convention supplemented by a recommendation. The employers favored a convention, underscoring the fact that it should allow for flexibility in view of the different level of development among countries.

The Philippine government was also in favor of a Preamble indicating that all conventions and recommendations also apply to domestic workers, and the unions suggested that the articles of other conventions and recommendations where domestic work is excluded from coverage should be repealed. The government also suggested that the Preamble should emphasize the protection aspect while also encouraging cooperation between employers and workers. The unions instead stressed the relevance of citing other conventions, particularly the Convention for the Elimination of Discrimination against Women (CEDAW) and the Migrant Workers Convention (MWC).

With respect to definitions, the government was against including personal care as domestic work, while employers urged that child care and personal care be clearly defined. Unions, on the other hand, emphasized that the definition of domestic work be restricted to household chores and that the addition of other functions, such as child care, should be accompanied by a higher salary.

On the definition of employer, the government points out that in the Philippines, foreign placement agencies are also included in the definition and are jointly liable for the wellbeing of the migrant. The unions concurred with this based on the experience of joint responsibility practiced in the Philippines. However, they advanced that intermediaries should “include persons, agencies and enterprises that facilitate the recruitment and placement of domestic workers.” Employers instead expressed the opinion that intermediaries, such as recruiters, should be distinctly defined. Consequently, they would like employers to be considered the natural persons employing the services of the domestic worker.

The Philippine government suggests that household should also be defined and offered the following definition: “an aggregate of persons generally but not necessarily bound by ties of kinship, who sleep in the same dwelling unit and have common arrangements for the preparation and consumption of food.”

The government and unions agreed that the convention include the reference to fundamental rights that should be granted to domestic workers, such as the freedom of association and collective bargaining, the elimination of compulsory labor, f discrimination in respect of employment and occupation, and child labor.

On the issue of minimum age, the unions indicated that dispositions should be consistent with Conventions Nos. 138 and 182 and their corresponding Recommendations, and therefore persons below 15 should not be allowed to work, and persons between 15 and 17 could be allowed only in non-dangerous situations. However, in the Philippines, regulations have established 23 as the minimum age for migrant domestic workers. Thus, both the government and unions indicated that national legislation could set a higher minimum age.

On the issue of social security, both the government and unions concurred that domestic workers should enjoy it, including maternity protection. The unions further demanded that such protection should be granted according to national or international law, whichever is more favorable to the worker, and that paternity protection should also be considered.

There was consensus on the various aspects concerning information on conditions of work, which should be granted to the worker. The unions added a general comment on the contract – it should be in writing, it should be in a language the employee understands, it should be signed after the employee has had sufficient time to examine it and consult about it, it should provide for additional compensation for specific skills, and it should contain guarantees in case of the employer relocation and provisions for legal entitlements. Unions also demanded that the convention forbid the confiscation of personal documents and articles and restrictions on communication.

On wages, the government and unions were in favor of a minimum wage, where such provision is available. Wages should not be paid at intervals greater than one month and the unions sought to include the prohibition of unauthorized salary deductions. Both the government and unions opposed the payment of partial wages.

The unions also urged that that domestic workers be given food in respect of the worker's needs, culture and religious practice. The weekly rest should also allow religious practice while working time should be limited to eight hours a day. During the period of rest, the worker should not be required to remain in the house and should be allowed to receive visits. Also, standby time should be compensated. Social security benefits should be provided for and their portability ensured.

Agencies should be regulated and made responsible for the working conditions of the migrants as well as for their repatriation costs together with the employer. Domestic workers should enjoy benefits comparable to those of national workers, on the basis of bilateral and multilateral agreements.

Redress procedures should be available to the domestic workers, who should have access to free legal assistance and other auxiliary services. Also, employers who have a history of abuse against domestic workers, should no longer be allowed to hire them.

The government warned that inspections to ensure compliance with laws might be difficult because laws protect the privacy of homes.

From question 35, the documents concern the recommendation and on this issue, the Philippine government and unions were not as elaborate in their responses, perhaps because the questions repeated themselves. The unions added the recommendation to produce better and gender disaggregated data.

From this cursory overview of the Philippine position on the ILO instrument to protect domestic workers, it appears that there is a favorable attitude toward it. Apart from some comments on the first question, the Employers Confederation of the Philippines did not remark on the other questions. The government voted in general with the majority of respondents on many issues. Unions have offered the largest number of comments. In general, the Philippines is aware of the protection dimension involved in the flow of domestic workers and supported the idea of an instrument. Hopefully, the same components are also aware that the protection demanded of others for Philippine domestic workers abroad is also to be granted to domestic workers in the Philippines.

Based on the reports and discussion at the 99th session of the 2010 International Labor Conference, “the Domestic Workers Committee adopted the Proposed Conclusions for a comprehensive standard (a Convention supplemented by a Recommendation). Report IV(1) was then published in August 2010 and provided the first draft text of a proposed Convention and Recommendation.” Although more negotiations, more resistances to overcome, and more work remains for the passage, ratification and enforcement of the convention, this breakthrough represents a significant step towards the protection and promotion of the rights of domestic workers.

7. SUMMARY

It is interesting to note that the challenges of promoting the protection of women migrants, particularly those engaged in domestic work, have compelled governments in origin societies, civil society organizations and the international community in strengthening the protective mechanisms of labor migration. In the case of the Philippines, it may be recalled that the passage of the landmark Migrants Workers and Overseas Filipinos Act of 1995 or RA 8042 and its amendments (RA 9422 in 2006 and RA 10022 in 2010) was aimed at enhancing the protection of migrant women, especially those in domestic work.

However, despite various measures to protect domestic workers at all stages of migration, domestic work still entails risks and vulnerabilities to women migrant workers. Bans in the Philippines and elsewhere had never proved effective – on the contrary, bans typically drive migrants underground, thereby rendering them more vulnerable. While the Philippine government continues to institute more protective mechanisms to promote the protection of Filipino domestic workers, they also tend to lack teeth in terms of enforcement and monitoring. Also, the Philippine approach of “deploy and protect” is fraught with many difficulties. The Philippine government cannot turn a blind eye to the employment opportunities of domestic work. At the level of individuals and households, overseas domestic work has become a well-known livelihood strategy. More cooperation with receiving countries and more multilateral approaches and instruments are critical towards making the household a safe workplace for women workers.

PART II THE REALITIES OF DOMESTIC WORK

We now turn to the part of the study which is dedicated to exploring the workers' experiences and their perspectives of government regulations. The main question is whether government regulations intended to enhance the protection of migrant domestic workers do work to protect the workers. Related to this, the study probed domestic workers' awareness and understanding of government regulations, their views and perceptions, and the actual impact of government regulations on their conditions. We have expanded the original scope of the study by framing domestic worker migration into three phases – before migration, while domestic workers are abroad, and return migration and by exploring the views and perspectives of other stakeholders. To obtain information on migrant workers' experiences and perspectives, data collection was organized around the three phases of the temporary labor migration cycle. Aside from migrant workers' perspectives, the study endeavored to interview representatives of critical stakeholders – Philippine government agencies, recruitment agencies, and NGOs in Singapore (for the case study of a destination country).

This section is organized into three parts: (1) discussion of the methodology, (2) presentation and discussion of findings, and (3) conclusions.

1. METHODOLOGY

Pre-Migration

Data for this part of the study were based on a survey of departing domestic workers. Face-to-face interviews were carried out with domestic workers who were undergoing the Pre-Departure Orientation Seminar (PDOS) conducted by selected NGO providers and the Comprehensive Pre-Departure Education Program (CPDEP) for HSWs implemented by OWWA (see Box 1). Both are required of departing domestic workers. PDOS became mandatory for all legally deployed workers since 1983 while the cultural/language training is part of the 2006 HSW reform package. Both interventions provide an opportunity to reach departing workers. This approach, however, includes only legal workers and excludes those who are leaving through unauthorized channels.

To ensure the delivery of rights awareness to departing domestic workers, POEA MC No. 2, Series 1992 mandated that PDOS for this category of workers should be provided by accredited NGOs. Other workers may attend the PDOS provided by OWWA (which conducts PDOS for skilled workers and workers for deployment to Canada), POEA (which conducts PDOS for government-placed and direct hired workers), and OWWA-accredited PDOS providers (which include agency associations and recruitment agencies). At the time of the survey in 2010, there were 15 NGOs accredited to give PDOS to domestic workers (Interview with OWWA). The PDOS modules are standardized for all departing OFWs. The difference lies in the greater attention to welfare concerns that are covered by NGO PDOS providers.

We contacted several NGO-PDOS providers to explore whether it would be possible to carry out the interviews with departing domestic workers upon completing PDOS. We planned on allocating a proportion

of interviews involving domestic workers from Mindanao, especially those coming from the Autonomous Region of Muslim Mindanao, where the percentage of female migrants is high, and at the same time. We had exploratory talks with a number of PDOS providers where many would-be domestic workers from Mindanao attend PDOS. One provider initially said yes, but became elusive when we followed up our request. Another provider was welcoming in earlier discussions but later imposed conditions that were not in keeping with the proper conduct of a survey. Our plan to purposively sample women migrants from Mindanao did not work out. Ultimately, we reached an agreement to conduct the interviews with two NGOs – Kabalikat ng Migranteng Pilipino, Inc. (KAMPI) and Kaibigan ng OCWs, Inc – and OWWA. Although KAMPI and Kaibigan also had PDOS participants coming from Mindanao, the numbers were fewer.

The interviews in KAMPI and Kaibigan were conducted by their staff after receiving training from SMC while the interviews in OWWA were done by SMC staff. SMC also provided supervision to the staff of KAMPI and Kaibigan. The interviews were done between the last week of October and the middle of November in 2010. The language of the interview was Filipino. On the average, the interview lasted about 20 minutes.

Box 1.
About PDOS and CPDEP

When PDOS was made mandatory for all legally deployed OFWs in 1983 (POEA MC No. 3, Series of 1983), PDOS was handled by the POEA. A certificate attesting the OFW's completion of PDOS is necessary before the worker can be issued the Overseas Employment Certificate.

In 2002, PDOS was transferred from POEA to OWWA, although the actual implementation of PDOS under OWWA started in 2003. Since the time OWWA managed PDOS, there has not been any study to assess the program and its outcome.

PDOS is designed to be an 8-hour orientation seminar. According to OWWA, the orientation has been reduced to six hours, in response to the request of PDOS providers. The one-day PDOS includes the following modules: Migration Realities (code of conduct of OFWs, possible challenges when working abroad, Buhay OFW); Country Profile (laws, culture and customs of the host country); Employment Contract (rights and responsibilities of the OFWs per contract); Health and Safety; Financial Literacy; OWWA Programs and Services and other government programs; and Travel Procedures and Tips. The training module was changed in 2009. New materials were being developed at the time of interview in 2010. OWWA updates PDOS providers on new developments or new regulations or advisories that must be incorporated in their PDOS.

For departing domestic workers, following the completion of PDOS, the next step is to attend the Comprehensive Pre-Departure Orientation Program (CPDEP), which is provided by OWWA. CPDEP includes lessons on country-specific culture and language training as well as lessons on stress management. CPDEP developed out of the language course that OWWA provided since 2007 (which started with just Arabic). The Language Course was expanded into the CPDEP for HSWs, which was institutionalized by the issuance of Department Order No. 95-09 on 10 March 2009. The CPDEP for HSWs incorporated the one-day PDOS, the Language and Culture Training and a Stress Management Course. The duration of CPDEP varies according to the destination country. It lasts for three days for basic language training in Arabic, Cantonese, Hebrew and Italian and six days for Mandarin.

During Migration

There were two focus group discussions in Singapore: one with a group of Filipino domestic workers who were staying in a shelter ran by the NGO Humanitarian Organization for Migration Economics (HOME), and another FGD with a group of workers who were not in a shelter. We attempted to organize an FGD with Filipino domestic workers who were not in a shelter and who were not contacted through the Catholic Church. This did not push through because of time-related difficulties. We also planned on interviewing or holding an FGD with new arrivals, but this was not easy to arrange. As our contact person explained, this was not possible because most new arrivals do not have a day off. The first group had eight participants. Their ages ranged from 23 to 45 years old; they had worked in Singapore from two and a half months to 10 years. The participant who had been working in Singapore for 10 years had worked for several employers and considered herself “unlucky.” All eight entered Singapore as tourists and thereafter applied for a work permit. The second group consisted of six participants. Except for one who had been in Singapore for less than a month, the rest were oldtimers who have had several contract renewals. The second group had older participants compared to the first group and some of the members were considering returning to the Philippines. Access to the first group was arranged with HOME while the meeting with the second group was arranged through a contact with the Catholic Church. When we visited the shelter, there were about 40 Filipino domestic workers housed in the shelter at the time. We were able to have a short meeting with them to explain the purpose of the study and we invited 8-10 participants who would be willing to share their experiences. Eight volunteered to participate in the FGD. There is a selection bias in the identification of the participants which must be considered in the discussion of the data collected. In the case of the first group, the participants were those who were willing to discuss their experiences; it is possible that those who did not volunteer may have different characteristics than those who did. The FGD with the shelter residents took about two hours while the FGD with workers who were not in distress was about an hour. Both FGDs were conducted mostly in Filipino.

Return Migration

This part of the study focused on the return migration of domestic workers who had encountered problems while they were working abroad. We contacted OWWA for assistance in contacting domestic workers who had been repatriated through OWWA’s auspices and who were temporarily staying in OWWA’s halfway house. We were able to organize one FGD with seven repatriated workers on 18 October 2010. Their ages ranged from 23 to 44 years old. Except for one, who had elementary education, the six other participants had some or completed high school. Four out of the seven had an overseas employment experience. Five of the participants were repatriated from Saudi Arabia (four from Riyadh, one from Dammam); the two others (one each) were from Malaysia and Qatar. All of them had stayed in the shelter ran by the Philippine Embassy. Their length of stay in the last country where they worked varied from six months to two years. At the time of the FGD, they had recently arrived in the Philippines and were waiting for arrangements for their return to their hometowns. The FGD lasted for about two hours. It was conducted in Filipino.

We had planned on interviewing return migrants who were not repatriated by OWWA or were not assisted by an NGO, a group whose experiences would provide some insight on workers who did not experience serious problems. It is possible that they also encountered problems while working abroad and the study is expected to uncover what kept them from seeking help and/or how they found solutions to address their problems. Due to lack of time, we were able to collect data only on those who were assisted by

OWWA. Another constraint is lack of access to returning migrants who did not go through OWWA or an NGO. Unlike departing workers, return migrants do not have to fulfill a requirement which would necessitate having to deal with a government agency. For this reason, it is difficult to identify or to have access to returnees. An earlier study on women returnees, most of whom were former domestic workers, may be referenced for information on returnees who did not seek assistance (*see* Asis, 2001).

2. FINDINGS

The results of the study are organized into three parts: before migration, during migration, and return migration in the Philippines. As explained in the Methodology section, different approaches were used to collect data on the different phases of the migration process.

I. Impact of Philippine Government Regulations: Before Migration

Profile of Respondents

All in all, a total of 211 interviews were completed, which exceeded the target of 200 interviews. The profile of respondents is summarized in Table 10.

Respondents' ages ranged from 21 to 57 years. Two respondents were below the required minimum age of 23. The mean and median age of the respondents hovered between 33.1 and 32.0 years, respectively. In terms of marital status, majority of the respondents were married (56.4 percent); the rest were never married (31.8 percent) and separated/widowed (11.8 percent). About a quarter (26.7 percent) did not have children; respondents' mean number of children was pegged at 1.6. Most respondents (57.6 percent) belong to households with 4-6 members. About 8 in 10 reported their religion as Roman Catholic; the remaining respondents were Other Christian, Muslim or were members of other religious affiliations.

Although overseas employment has become a national phenomenon, the extent of international labor migration continues to be unevenly distributed. Nine of the top 11 provinces are in Luzon; two (South Cotabato and Zamboanga del Sur) are in Mindanao. More than half of the respondents (54.8 percent) were from the top sending provinces while the other half (45.2 percent) originated from 39 other provinces in the country. Filipino domestic workers are reputed to have more human capital compared with their counterparts from other Asian countries. In general, an overwhelming 95 percent of respondents had completed a high school education. However, the perception of Filipino domestic workers as overly qualified for domestic work is not supported by the present study. About 20 percent had completed college. Furthermore, when the respondents' pre-migration occupational background is considered, less than a third (30.3 percent) had experience in paid employment before migration. Moreover, their pre-migration work experience was mainly in non-professional occupational categories. In terms of usual monthly household income, most respondents reported a monthly household income of Php5000-9999. Most respondents (65.4 percent) considered their usual monthly household income as inadequate.

Decision-Making and Information-Seeking

An examination of the respondents' migration profile (Table 11) reveals that more than half (54.5 percent) had ever migrated for work while their forthcoming migration will mark the first experience for the remaining

45.5 percent. What is interesting is that some 60 percent of ever-migrants had more than 1-2 years of overseas employment prior to their current application at the time of interview. Most ever-migrants (68.6 percent) had worked in six countries or territories, with Hong Kong as the leading destination. With this background, it is not surprising to find that three-fourths of all respondents (74.4 percent) were the ones who made the decision about migration. Part of their decision-making process involves seeking information about migration. The top three items which respondents sought out are as follows: inquiring from relatives and friends on how to apply (39.5 percent), checking the list of legal recruitment agencies with POEA (22.4 percent), and looking for recruitment agencies (14.1 percent). Of the various sources of information on migration, government agencies (POEA, OWWA, OUMWA) were considered as the most trusted by the great majority of respondents (85.8 percent). Other information sources – family or friend who is an OFW (7.6 percent), recruitment agency (3.8 percent), and NGO (2.8 percent) – markedly trailed behind government sources. We can thus see that while potential migrants tended to seek out family and friends for information on how to land a job abroad, respondents counted government sources as the most reliable. Similar to the findings from an earlier study on the pre-migration experiences of OFWs (Asis, 2005b), many departing women migrants in the present study also sought information from relatives and friends. A major difference is that in the present study, majority of respondents considered government sources as most reliable while in the other study, respondents considered their personal networks as the most reliable source of migration information

The respondents' intended countries of destination hew closely to the major destination countries of OFWs revealed by POEA data. The top three countries of intended destination of this sample were: United Arab Emirates (14.2 percent), Qatar (12.3 percent), and Hong Kong (10.4 percent). Classifying the destination countries by region, 86 percent of respondents were headed into two regions: the Gulf Cooperation Council (GCC) countries (47.9 percent) and East and Southeast Asia (37.9 percent). Aside from having had some overseas experience, many would-be migrant workers (67.3 percent) will work in a country where they have relatives or friends. Asked about their date of departure, 33.4 percent were scheduled to leave within the month; a larger percentage, 67.6 percent had no idea as to when they will leave for abroad. In part, the uncertainty has to do with respondents needing to complete some requirements.

Application Process

Table 12 indicates that among first time applicants, 62.8 percent lodged only one application while the rest had applied two or more times (the maximum is six times). Seventeen respondents claimed that they had had experience of being illegally recruited. According to the details provided by respondents, illegal recruitment refers to contract substitution (recruited as a dressmaker but worked as a domestic worker), unable to leave, paying money without being able to work abroad, leaving as tourists, or finding out after checking with POEA that the agency they were dealing with was unlicensed.

If they could choose the occupation that they would like to perform overseas, only 28.1 percent would choose to go into domestic work. Nonetheless, domestic work still ranks as the top choice, seconded by other service occupations. Overall, service jobs were mentioned by half of the respondents. If they could also choose the country where to work, more than three-fourths (77.4 percent), would work abroad, citing better income prospects, having family and friends, and place-related advantages (welcoming of foreign workers, advanced country, etc.) as the three most important reasons. On the other hand, of those

who would prefer to work in the Philippines, the primary reason (cited by 72.3 percent) was being close to family and friends. Choosing to work abroad or in the Philippines, thus, comes down to choosing better income abroad vs. proximity to family and friends in the Philippines. As shown in Table 12, the respondents' notion of ideal foreign country to work in consists mostly of non-settlement countries, with the exception of Canada (the top choice) and the USA. The question probing why respondents chose to work abroad as a domestic worker can provide some explanation why they considered domestic work overseas, including those who were not keen about it. According to data in Table 12, the attractions of domestic work were related to the relative "ease" of securing this type of job. Three-fourths of all respondents cited not having to pay a placement fee, not being qualified for other jobs, and the only job available to respondent as the primary reason for choosing to work abroad as a domestic work. Not having to pay a placement fee is actually a misconception. At the time of application, applicants may not be required to have any cash outlay, but eventually, most of them are subjected to salary deductions.

Applicants for overseas work must comply with various requirements. In the case of domestic workers, apart from the usual requirements that apply to overseas job applicants, first-time applicants must go through a job training and cultural/language training which are part of the requirements under the 2006 reforms. For each requirement, respondents were asked to assess their experience. There were five response categories - somewhat easy, very easy, just fine, somewhat difficult and very difficult. The response categories somewhat easy and very easy were combined into one category (easy); the same was done for the response categories somewhat difficult and very difficult (which were combined into difficult). As summarized in Table 13, complying with the placement fee was considered by most respondents as difficult (59.1 percent), followed by cultural/language training (43.4 percent). Other requirements which had at least 25 percent of respondents rating it difficult are: securing a passport (35.3 percent), job training (33.6 percent), and taking the medical exam (26.8 percent). Respondents found the rest of the requirements easy to accomplish.

The survey attempted to determine the financial cost of each of these requirements. However, the amounts provided by respondents do not seem reasonable and were therefore not useful. An estimate of total expenses was asked of the respondents. Coded responses indicating a range of values – from under Php5000 to Php80000 and more (plus Other) – were provided to encourage respondents to reply to this question. An earlier study on the pre-migration experiences of OFWs also had difficulties in obtaining information about the costs incurred in the process of applying for overseas employment (see Asis, 2005b).

Although the information provided may not be fully valid, at the least, it is indicative of the financial burden shouldered by applicants. Note that the respondents in the sample include direct hires whose expenses are generally assumed by employers. Based on the modal category, most applicants spent Php20000-39999, on their current application. The range is quite wide because the application costs vary according to the destination country. Middle East countries tend to be "cheaper" compared to Hong Kong SAR and Taiwan. In general, the application costs seem to be inversely related to the working and living conditions of the destination countries. More often than not, respondents took out a loan to finance their application to find work overseas – 66.2 percent said they obtained a loan.

Applicants have to deal with various agencies in the course of complying with the application requirements. On the whole, respondents gave a fair evaluation – just fine – to all the agencies mentioned in the survey (Table 14). The low percentage specifically indicating satisfaction (except in the case of PDOS provider) suggests further improvement is in order for most agencies.

Contract-Related Matters

At the time of interview, about half of the respondents (49.3 percent) claimed that their agency had explained their work contract to them while the other half (50.7 percent) said no such explanation has been provided to them. About 57 percent had read their contract while 43 percent had not read their contract, including a few who had read only certain portions. Some 65.2 percent claimed that they already have information about their employers; still, a considerable 34.8 percent had no information whatsoever about their employers. Should they encounter a problem abroad, the majority (58.8 percent) said they will seek help from the Philippine Embassy. A distant second is the employment agency in the destination country, which was mentioned by 18.5 percent of respondents; and the third ranked option is POEA/OWWA, according to 11.8 percent. The other choices – relatives and friends in the destination, relatives and friends in the Philippines, recruitment agency in the Philippines, and others – comprised 10.9 percent.

Respondents were asked what they know or what they understand about their salary, working hours, weekly day off, whether they can use a cellphone, who will keep their passport, and details about salary deductions.

Regarding knowledge about their monthly salary, Table 15 indicates that 47 percent reported a monthly salary that was lower than Php17000-17999 (i.e., the salary range closest to US\$400) while another 37 percent provided a higher figure. Only 13.5 percent of respondents answered the correct or closest approximation of the minimum salary. Respondents' knowledge of working hours was highly variable. The majority (40.7 percent) had no idea about the length of working hours; only 23 percent mentioned eight hours; 16.7 percent reported more than eight hours; and a sizable 17.2 percent said the number of hours would depend on the employer, or it is not definite, or for as long as there is work to do. Having a cellphone can contribute to the protection of migrant workers, especially domestic workers. From the sample, only about a third (36.2 percent) said that they can use a cellphone; the majority either cannot keep a cellphone or they did not know whether they can keep one. The right to keep one's passport is even more precarious. Only 28.5 percent said that they can keep their passport and the rest either cannot or they did not know. Based on respondents' understanding of the provisions of their contract, data in Table 15 suggest that workers leave considerable discretion to their employers to define the terms of their contract. Considering that they had completed PDOS when the interviews were conducted, their responses imply that the rights message did not really sink in the consciousness of departing workers.

Another indication that the no-placement fee is not respected comes from the information on salary deductions. About half of the respondents (49.3 percent) admitted that they will have salary deductions, close to half (46 percent) claimed that they had no salary deductions, and the remaining 4.7 percent did not know or were not sure whether they will have salary deductions. Those who replied in the negative does not mean that they did not have to put up a placement fee – it is possible that they did not avail of salary deductions because they had already paid their placement fee in full.

Awareness and knowledge of the provisions of the 2006 household service workers reforms was probed by asking respondents what they know about the government's regulations concerning placement fee, minimum monthly salary and minimum age. Only 12.9 percent correctly answered that there is no placement fee; 51 percent specified an amount, which means that they thought that there is a government-stipulated placement fee; and another 36.2 percent did not know the government's policy on this matter. Similarly, knowledge about the US\$400-minimum monthly salary was very low. As shown in Table 15, only 13.5 percent were able to approximate the correct salary (the closest is the Php17000-17999 range); 47 percent thought it was lower than Php17000 while another 39.5 percent answered it was Php18000 and higher. Respondents' knowledge level of the minimum age is relatively high – 46 percent correctly specified 23 years as the minimum age; 19 percent gave a younger age; 29.9 percent indicated a higher age; 1.4 percent incorrectly said that there is no age limit; and 3.8 percent did not know the minimum age. Given the low level of knowledge about government regulations on domestic worker deployment, more information drives are needed to inform prospective applicants about these important details.

What are the views of departing domestic workers on fair working conditions? On the issue of day off, an overwhelming 87 percent considered one day off per week as fair; 11.6 percent indicated more than one day off per week; and the rest, 1.4 percent, less than once a week (i.e., every other week). The issue of what is a fair monthly salary for domestic workers abroad was not easy to pin down. The three modal responses are: Php15000 (15.2 percent), Php10000 (10.4 percent), and Php20000 (9.5 percent). It is interesting to note that the top two answers were below the equivalent of US\$400 a month. For domestic workers in the Philippines, according to respondents, the top three figures that were mentioned most frequently are: Php3000 (22.4 percent), Php5000 (21.4 percent), and Php2500 (10 percent).

Hopes and Aspirations

They would consider working in the Philippines if they could find employment in their preferred employment. The top three job choices of respondents are: (1) clerical jobs (23.3 percent); (2) other service jobs, i.e., other than domestic work (20 percent); and (3) sales jobs (15.7 percent). Only 6.6 percent chose domestic work.

Respondents were also asked about the monthly salary that will entice them to work in the Philippines. The values given ranged from Php5000 and Php30000. The top three most mentioned figures are: Php10000 (22.6 percent); Php15000 (17.8 percent); and Php20000 (14.9 percent).

Having decided to work abroad and for some, being on the verge of migrating, their hopes and aspirations of what working abroad will bring them center mostly on economic goals: to have savings and ensure the security of their family (29.9 percent); to support their children's education (23.7 percent); and to buy a house and lot or build a house (22.7 percent).

For this sample of respondents, the period of time that they planned on working abroad ranged from 1-2 years to indefinite. For those with definite ideas on how long they planned on working abroad, the length of time is variable – about a quarter (24.6 percent) planned on working abroad for 1-2 years; 17.4 percent, 3-4 years; 26.6 percent, 5-6 years; and 15.5 percent, 7 years and more. Some 15.9 percent did not specify the number of years; instead they reckoned the time period in terms of goals (e.g., until they have saved

enough, until the children have finished their education or until they become stable), capability (i.e., as long as they can work or as long as they are strong and healthy), or as long as their employer continues to hire them.

II. Impact of Philippine Government Regulations Onsite: The Case of Singapore

As mentioned earlier, this portion of the research was not part of the original plan. SMC, however, suggested that an on-site picture is necessary in understanding the efficacy of Philippine government regulations in the destination countries. It would have been ideal to choose different destination contexts to examine how Philippine government regulations operate in different receiving countries. The choice of Singapore as a case study was borne out of theoretical and practical considerations: (1) Singapore ranks among the top ten receiving countries of Filipino domestic workers, and (2) SMC had links with Singapore-based institutions, which made possible the conduct of research there given the limited time and budget.

As a destination country, Singapore has some unique characteristics which should be considered in the interpretation of the results of the case study. As members of the Association of Southeast Asian Nations (ASEAN), Filipinos and Singaporeans do not need a visa in visiting each other's country for short visits. This facility eases travel between the two countries. In recent years, the availability of budget airlines has increased travels between the two neighboring countries. On the down side, these factors have contributed to the migration of Filipino workers without going through the POEA. Unlike other destination countries, Singapore does not require a work permit from the POEA to work legally in the city-state. For Singapore, the primary requirement is a work permit from the Ministry of Manpower (MOM). If Filipinos are able to find a job and can secure a work permit in Singapore, they are legal workers in the eyes of the Singaporean government. They are, however, undocumented or unauthorized workers from the point of view of the Philippine government. A Singapore-based key informant said that for as long as the Singapore government does not accept POEA regulations, Philippine laws will not have any impact in protecting Filipino domestic workers or overseas Filipino workers in Singapore. Ever since, these different approaches had been a source of friction between the two governments. Thus, even when the Philippine government imposed a ban on the deployment of Filipino domestic workers to Singapore during the Flor Contemplacion debacle, Filipino domestic workers continued to find employment in Singapore. Typically, Filipinos intending to work as domestic workers have a pre-arranged employment in Singapore – either arranged by their networks of family and friends or employment agencies – after which they apply for work permit in Singapore. The latter process inevitably involves the participation of Singapore-based employment agencies, which exact hefty fees for their services. The payment consists of 6-8 months of salary and no days off for the duration of the salary deduction period. These onerous conditions pose problems to Filipino domestic workers in Singapore. In contrast to Hong Kong and Taiwan, there are few migrant-focused NGOs that operate in Singapore (in this regard, Singapore is similar to Malaysia). As such, foreign workers in the city-state lack an important source of support and assistance. Furthermore, the limited number of NGOs also implies limited advocacy in the promotion of migrants' rights.

Singapore's MOM had implemented some measures to enhance the protection of foreign domestic workers in recent years. These include: setting up an office within MOM to deal with foreign domestic workers; a half-day safety orientation for new arrivals, which includes information about the rights of foreign domestic workers and the contact information of the embassy and MOM; requiring employers to undergo an

orientation; cooperating with NGOs that provide shelter to runaway domestic workers; increasing the medical insurance coverage from S\$5000 to S\$15000; and calling the employer's house to check on the conditions of newly arrived foreign domestic workers (Interview with key informants).

The key informants and the domestic workers interviewed for the study lauded these developments. In fact, the FGD participants thought that the orientation was helpful for them. However, the key informants also noted serious limitations that constrain the intended impact of these measures. For example, the employer orientation can be accomplished online – this can be completed by someone other than the employer (Interview with a key informant). MOM provides newly arrived domestic workers with a guidebook that contains helpline numbers. However, this can be confiscated by employers, or workers do not have the means to contact MOM because they are not allowed to use the telephone or to have a cellphone. To date, support to foreign domestic workers is limited to those who are physically abused. If a worker's complaint is "only" verbal abuse (which is rampant), this is not considered punishable in Singapore's penal code. Another key informant confirmed that this type of abuse is common.

More importantly, these developments have not gone far enough to address to bigger issues concerning salaries and days off. The minimum wage issue is difficult to push considering that local Singaporeans are not covered by it. In 2008, the Transient Workers Count Too (TWC2), HOME and the National Committee of UNIFEM launched the "Day Off Campaign" in Singapore, an advocacy campaign to urge Singaporean employers to grant their domestic workers a day off. A report in 2003 found that more than half of foreign domestic workers in Singapore do not have a regular day off. In 2009, the campaign included new videos and a campaign poster to drive home the bleak reality faced by domestic workers. At the time of interview, TWC2 was preparing a forthcoming report on the views and attitudes of employers and workers on the issue of day off for domestic workers. The study sought to interview employers, but it was difficult to access them. Hence, those interviewed included non-employers, who may have a different view about the day off issue when they become employers themselves. According to key informants, they did not see the government moving towards establishing a minimum wage and a day-off for foreign domestic workers. It would rather leave these matters up to the negotiations between the employer and the worker.

Singapore's laissez faire and free market approach breed conditions that put foreign domestic workers at a disadvantage. The Singapore government is not keen on enforcing the law against the employer or agency holding the worker's passport because employers may lose their bond should the worker run away. The government is not likely to remove the bond (which NGOs and scholars consider as a source of vulnerability of foreign domestic workers) because it is a mechanism that provides employers policing and surveillance powers over domestic workers in their employ. Despite criticisms against its bi-annual medical-cum-pregnancy check up and the repatriation of pregnant domestic workers, there are no indications of the government changing these policies. Singapore's no pregnancy rule, according to a key informant, has resulted in abortions among foreign domestic workers.

As discussed further below, employment agencies in Singapore play a key role in defining the conditions of foreign domestic workers. If the Singapore government seems to keep a hands-off policy towards employment agencies, it is because the government fears a backlash from local businesses. Moreover, the

workers' "willingness" to accept market conditions reinforces the government's no-intervention stance (Interview with a key informant).

The Perspective of Filipino Domestic Workers

In the FGD with eight domestic workers in an NGO shelter, they confirmed the difficult conditions described by the Singapore-based key informants. All eight workers bypassed the POEA. One participant who had previously worked in Taiwan had an inkling that she might be undocumented because she did not pass through POEA. Although she had some fears, it was too late to back out. According to them, Singapore was an attractive choice because it was easy to come to the city-state – as one participant put it, "It is easy to come to Singapore; one only needs a passport." However, the easy way became fraught with problems upon their arrival in Singapore. They had to sign a contract which stipulated salary deductions for 6-8 months. Some of them also experienced undergoing "training, which was actually real work but without being paid while they were staying in an accommodation arranged by the agents. Many of them said that the agents added to their problems – that it was the agents who advised their employers to get their passports and about not giving them a day off. They considered the MOM safety awareness orientation helpful – they were told during the training that they were supposed to have their passports, but they could not assert this with their employers. Some employers also insisted that they cut their hair.

Their monthly salary ranged from S\$330 to S\$370.¹³ However, because of salary deductions, they were without salary for 6-8 months. During the period that they were paying for their placement fees, some were given S\$20-50 a month and none had a day off. Their passports were kept either by their employer or agency.¹⁴ The difficulties that pushed them to seek help from the shelter were the constant verbal abuse, overwork (having to work for more than one household), no day off, being isolated (not allowed to talk with other Filipinas, being locked inside the house when the employers leave the house, not allowed to use the telephone or to have a cellphone), and not being given food. Participant A said that she was not given food by her employer. She would sneak to eat in the restroom to stave off hunger – she had to resort to this to avoid being caught eating by the CCTV. Participant B related that her employer checked the food in the refrigerator and would comment about the amount of the contents each time. According to her, the employer would even measure the liquid detergent and would often complain that it was getting depleted quickly, prompting the participant to say that perhaps the employer thought she must be drinking the detergent! Participant C ate instant noodles during her two-year contract. Three of the participants complained of overwork. Participant E worked in a household of 10 members, including an amah, who watched her every move and was not given rest and food. She got scared when she could not move her arm – fearing that her health might be in danger and thinking of her children back in the Philippines, she decided to run away. Participant F had to work for several households. Participant G was overworked and was afraid that with all the verbal abuse that she had been getting from the amah, she might not be able to control herself and might retaliate. Participant H was raped by her employer. A first time overseas worker, the rape occurred less than a week of her deployment to the employer's household. Many of

¹³ The rate among expat employers may be higher; the rate among Filipino employers may be lower.

¹⁴ According to the Philippine Embassy, the keeping of workers' passport is illegal in Singapore. To get around this, the agency asks the domestic worker to sign a document saying that they agree to the agency or employer holding their passport.

them tried to contact their agent, but they were not provided assistance; none contacted the MOM hotline; and many did not want to reach the Philippine Embassy because they had heard that the embassy was not helpful.

Although they were aware that the Philippine Embassy also runs a shelter, the workers preferred to approach the NGO shelter instead. They all perceived the Philippine Embassy as unsympathetic to the plight of domestic workers. One worker said that the embassy did not help her because she was not physically abused. Another worker who sought the help of the embassy said that the embassy wanted to return to her employer or agent. While waiting for them, she was advised by one of the Filipinos who heard about her case to seek the help of the NGO instead. One other participant's understanding was that the Philippine Embassy does not help runaways, and if ever, the embassy will send runaways back to their employer. They all said they were not lucky, but considered themselves more fortunate compared to others who did not have any support at all. At the time of the FGD, three were waiting to be repatriated to the Philippines, another three were looking for another employer. With the exception of the rape victim, the rest of the participants said they would like to return to work or to continue working in Singapore.

The FGD with the workers who were not in distress took place during the lunch and meeting of members of a Catholic organization. We could not have a long discussion because following lunch, they were going to visit a home for the elderly and handicapped as part of their volunteer work. Being oldtimers, they earned higher wages and enjoyed a weekly day off. In large part, their better conditions were defined by having worked for the same employer for many years. Those who had expat employers tended to earn more and enjoyed more independence compared to those who had Singaporean and Filipino employers. By virtue of their long work history with their employers, they have earned their rights so to speak and are able to secure better terms.¹⁵ Despite their favorable conditions, it is interesting to note their reflections about the difficulties of domestic work. RL has been working in Singapore for the same employer – a Filipino – for the past 16 years. She has a monthly salary of S\$500/month and has a day off every week. When asked what was difficult about being a domestic worker, RL answered that a domestic worker always has to adjust to the employer's ways.

J, the lone newcomer to Singapore among the group, had been in Singapore for less than a month. She has a sister in Singapore who found her a Filipino employer. J did not pass through POEA. She came as a tourist and was able to secure a work permit from MOM within a week. She will not have any salary deductions. Instead, she will initially receive a lower monthly salary of S\$250, after which she was promised a salary increase. During this time, she will have one day off per month. She considered these conditions better than a higher salary, but for which she will have forego 6-8 months' salary to pay the agency. Under the current arrangement, she will be able to continue supporting her children in the Philippines. She did not know though nor did she inquire as to when she will have the salary increase and more days off in a month.

¹⁵ Based on her ethnographic research on Filipino domestic workers in Singapore, Arnado (2010) suggests that over time, domestic workers acquire mastery in their "performance." The first two years are very tough because of displacement from their home and major disruptions in their everyday life. In time, the novice workers become veteran workers who have found ways of reestablishing order in their daily pattern of life. See also Constable (2003, 1997), Asis (2002, 2001), and Ueno (2009), for other details on the adjustment process of Filipino domestic workers.

In the discussion with the group, reintegration issues and their feedback about the Philippine Embassy came up. One participant was almost 60 years old and had plans of returning to the Philippines soon. EL plans to return to the Philippines in three years' time, when her ward will start university. Having worked abroad for 20 years, she expressed concerns about possible culture shock and the kind of adjustments that she will have to make when she returns home for good. She and her brother are thinking of putting up a business. She wants to help the families of OFWs; she also wants to help her hometown. Asked about what support she expects from the Philippine government, her response was: "None. They didn't help me here so I don't expect anything from the government. Many more people deserve to be helped than me." Her main question about life after labor migration was: "what can I do at home that will be productive?" She was not the only one who expressed an interest in getting involved as a volunteer upon returning to the Philippines.

The other participants who were thinking of going home could not specify their target date of return to the Philippines. They asked questions who they may approach about starting a business or information about sourcing capital for a business. We suggested that they might want to avail of the mentoring program offered by Aidha, a non-profit organization that provides financial education to migrant women in Singapore (see www.aidha.org). We gave them other examples, such as the formation of savings groups, which have been tried with various groups of migrants.

Later, one of the participants mentioned that the discussion got them into making more concrete preparations for their return to the Philippines. However, the advice to avail of training programs or classes on how to start a business enterprise was met with reservations. They had heard others say that the training programs were not useful.

All types of workers were unanimous in their negative assessment of the Philippine Embassy. Both the distressed and non-problematic groups viewed the embassy as unresponsive and unsympathetic to their concerns. They could not understand why employment agencies charge so much for their services. Many of them also expressed why the Philippine government insisted on a POEA contract when it is not followed anyhow. Some of them have heard of some provisions of the reform package, but knowing that these are not enforced, the reforms seem to sow confusion. They have heard of the minimum monthly wage of US\$400 – they did not know of a new arrival who receives such a salary. At the time of the interviews in Singapore, the Philippine Embassy had just announced the compulsory membership to Pag-ibig and the workers cited this as another case of imposing a requirement without providing sufficient information and consultation.

In our discussions with the workers, we informed them that we will convey their questions and comments with the concerned Philippine Embassy officials.

The Perspective of the Philippine Embassy

As discussed earlier, the Philippine government has introduced good practices to further the protection of Filipino workers, especially domestic workers, in destination countries. To oversee the labor-related and welfare-related concerns of OFWs onsite, the government establishes a Philippine Overseas Labor Office (POLO) in countries where there are many OFWs. Presently, there are 40 POLOs established in major

countries of destination. Headed by a labor attaché, the POLO is charged with the following functions: verification of employment documents and job orders, providing onsite assistance to OFWs with labor and welfare problems, seeking new employment opportunities for Filipinos by gathering information and conducting labor market research on overseas manpower requirements, promoting the overall welfare of Filipino workers through socio-cultural activities and programs that will facilitate OFWs' reintegration in the Philippines, and policy recommendations.

According to key informants from the Philippine Embassy, there are two types of Filipino domestic workers in Singapore – those who go through POEA (who are normally not problematic) and those who come as tourists (who are problematic). In the embassy's shelter, most of the residents there arrived in Singapore as tourists. As of June 2010, they had 28 residents (a low figure, according to them), of whom 27 are tourists and only one went through POEA. Those who come as tourists are "forced" to sign an "onerous" contract, which includes no day off and salary deductions of 6-8 months. When they seek a transfer of employer, they have to pay an additional two months' salary. When they can no longer bear their conditions, they seek help from the embassy and they end up in the shelter.

Concerning the report of a participant from the NGO shelter that she was refused admission to the shelter (because her case was not physical abuse), Philippine Embassy officials claimed that they do not refuse a Filipino worker who seeks the help of the embassy. Once a worker is admitted in the shelter, the embassy contacts MOM to determine whether there is a case, after which the embassy looks for sponsors for their repatriation. Those who stay in the shelter cannot go out of the shelter – if they choose to leave the shelter, they have to sign a form that it was their decision to leave the shelter's premises. While at the shelter, residents can receive counseling and may avail of training programs – e.g., computer training, or massage. Masses and Bible classes are also offered. The repatriation may be delayed if there is a police case or there is a MOM case – in both instances, the case has to be resolved before the worker can be repatriated. The police cases arise from employers' complaint – e.g., alleged theft (which is very common), or negligence (e.g., when the worker runs away and leaves the ward behind without a carer), or the worker hurting the ward. He noted that domestic workers do not readily abuse report cases to the police because they do not want to jeopardize their chance to return to work in Singapore.

To address the protection of Filipino domestic workers in Singapore, one of the measures initiated by the embassy was to put up the Association of Employment Agencies. The association has 80 members, which is about 20 percent of more than 400 employment agencies in the city-state. Through this mechanism, those who initially came as tourists were put within the ambit of the POEA system, which involves securing a written contract of tourists-turned-domestic workers.

The Philippine Embassy also conducts Post-Arrival Orientation Seminars in cooperation with churches to reach domestic workers. However, given the prevalent practice of no days off to new arrivals, other key informants in Singapore were skeptical about the usefulness of this information program. Another key informant, a long-time worker in Singapore, commented that the PAOS were not useful because those conducting the PAOS cannot satisfactorily answer the questions addressed to them.

We conveyed the questions, comments and concerns raised by workers to the embassy and the key informants acknowledged them and promised to expand their information-education-communication strategies to foster better understanding about fees, regulations, and government programs and services.

The Perspective of Civil Society

Interviews were conducted with representatives of three civil society organizations providing support to migrant workers and lobbying for migrants' rights in Singapore: the Humanitarian Organization for Migration Economics (HOME), the Transient Workers Count 2 (TWC2), and the Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (ACMI).¹⁶

HOME runs two shelters for migrant workers – one each for women and men. It started in 2004 and has expanded its programs and services over the years. Although HOME does not advertise its services, distressed workers find their way to the facility by word of mouth, through the Lucky Plaza Helpdesk (06-22), and through Bridget Lew Tan's column in *OFW Pinoy Star*, a monthly magazine for the Filipino community in Singapore. The shelter admits 10 Filipino workers every week. The shelter has become well-known among Filipinos possibly because of the location of its satellite office in Lucky Plaza, which is a place frequented by Filipinos. Frequently, Filipinos who had been repatriated by HOME expressed the intention to return to Singapore because they have no other employment opportunities in the Philippines. According to a key informant, the Philippine government should do more provide better job opportunities so that Filipinos will see no need to go abroad.

Bridget Lew Tan, founder and president of HOME, attributed the sustainability of HOME to Providence. Aside from providing a shelter for distressed workers, HOME also offers computer training and English courses. In April 2010, it established an additional training facility, which provides an expanded array of vocational and skills training – cooking, baking, caregiving, cosmetology, dressmaking – in addition to English and IT courses. HOME also established a shelter on Batam Island (in Indonesia, which borders Singapore), which provides support to migrant women who are pregnant.

TWC2, which was mentioned earlier in connection with the Day Off Campaign, has had consultations with employers and workers in connection with the day-off advocacy. Findings from their study indicated that employers were not keen to give domestic workers a day off not because employers cannot take care of housework when the workers are out. Rather, employers' reluctance was more related to issues of control and surveillance – they wanted to know where the domestic worker goes and how she spends her time (Interview with a key informant). The study also looked into the issue of minimum number of working hours. Families that have young children or those that have family members needing care found it difficult to specify the minimum number of working hours. Somehow, the consensus seems to be 10 hours. It was equally difficult to specify the minimum monthly salary. What was clear was that wages should not be defined according to the workers' nationality. There might be some differences in pay in terms of experience. In general, key informants said that the day off campaign has been a struggle.

¹⁶ For more information about these organizations, see www.home.org.sg (HOME); www.twc2.org.sg (TWC2); and www.acmi.org.sg (ACMI).

Asked whether the ILO Convention on Domestic Workers will help advance the protection of foreign domestic workers in Singapore, key informants see the convention as useful in establishing provisions and benchmarks that can be leveraged with the government. However, a key informant said that Singapore is not likely to ratify the convention (Singapore has only ratified CEDAW and the child convention).

The Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (ACMI) coordinates with MOM on issues affecting foreign domestic workers. The Church has a program called “Dignity at Home,” which is directed at Catholic families.^{17,18} Among others, the program enjoins Catholic employers to give domestic workers a weekly day-off. ACMI’s thrust on foreign domestic workers is more on services and training. ACMI started offering training programs in 2001. At the time of interview in 2010, the training programs included: baking, cooking, caregiving, hairdressing, computer skills, and beauty and wellness (massage and facial). The training programs aim to prepare the workers for their return and reintegration in their home countries; other skills, such as caregiving, can enhance their work in Singapore. Also, ACMI has more than 10 long-time volunteers (both Filipinos and Singaporeans), also called befrienders, who accompany foreign domestic workers to MOM, courts or clinics.

In 2009, ACMI handled a total of 120 cases presented by migrants – 61 percent were from migrant workers, 32 percent from foreign spouses, 6 percent from itinerants, and one percent from students. Of the 74 cases reported by migrant workers, 41 cases pertained to Filipino workers. The major problems reported by migrant workers are: being cheated and emotional problems (12 counts each), abuse (11), and illegal deployment and non-payment of salary (10 cases each). ACMI responded to these problems by referring them to MOM (30), face to face counseling (22), and shelter (20) (ACMI, 2009:10)

One of the Filipino volunteers of ACMI shared that the usual problems of Filipino domestic workers have to do with: (1) salary deduction – usually 6 months – and not being allowed to have a day off during this period; (2) contract violations; (3) the long hours and heavy workload which can run from 530 or 600 AM to 11 PM; (4) cultural misunderstanding – e.g., domestic workers often complain about being fed with bread or noodles instead of rice – she acknowledged, however, that some employers do withhold food from domestic workers; and (5) separation from family members, loneliness and being alone - this was compounded by not having a day off, not being able to attend mass on Sundays, and not having contact with their family members back in the Philippines or with other Filipinos in Singapore. She observed that Filipino domestic workers should learn how to communicate with their employers so that they can negotiate for better conditions. For her, the agency is the root of the problem of domestic workers. The fact that domestic workers are not covered by the labor law deepens the problem.

At the Philippine end, she said that PDOS would be helpful if it focuses less on how to send remittances and should instead highlight the rules and regulations of the receiving country. She also recommends that the government provides support to the left behind families. For those returning home, she said information on investments and business ideas would be helpful. However, she expressed reservations about financial literacy programs. She has heard from other OFWs that these were not useful and they attend these programs because their employers had already paid for them to attend the course.

¹⁷ ACMI produced a guidebook in support of the program, “Dignity at Home: A Guide for Catholic Employers of Foreign Domestic Helpers.” The guidebook draws from biblical and Catholic social teachings on the dignity of the human person and uses this principle in how employers are to relate with domestic workers under their employ.

¹⁸ ACMI also has programs providing support to foreign spouses.

III. Impact of Government Regulations: Return Migration

Unlike the return of successful migrants, repatriated workers represent a failed migration project. Their problematic conditions while abroad carry over into a problematic return migration to the Philippines.

Support to Distressed Workers

A discussion of the government's programs and support to workers in distress is presented before turning to the workers' perspectives and experiences.

According to key informants from OWWA, the request for repatriation assistance may come from the workers (including walk-ins), their families in the Philippines or the Post. In Middle East destinations, once the exit visa has been obtained, the agency in the Philippines is contacted for the ticket. OWWA may advance the ticket, but the agency has to pay for the ticket. Many workers in distress involve domestic workers, particularly those working in Middle East countries. For OWWA members, there is a specific fund for the repatriation of workers, but this source is tapped as a last resort. For unauthorized workers, the repatriation is shouldered by the Office of the Undersecretary for Migrant Workers Affairs. Repatriation costs increase in the repatriation of medical cases and dead OFWs. In medical repatriation, several seats must be purchased to allow the patient to stretch out and also to pay for the fare of an escort. The repatriation of dead OFWs is also costly – for example, the repatriation of the remains of a dead OFW from Europe could cost about 3000 euros. Once RA 10022 is enforced, which includes a provision requiring each agency-hired OFW to be covered by compulsory insurance at no cost to the worker, this will free up OWWA's repatriation funds.¹⁹

In 2006 and 2008-2009, OWWA handled challenging repatriation programs owing to the conflict in Lebanon and the global financial crisis, respectively. During the Lebanon crisis, some 1,000 workers were repatriated. According to the key informants, there were cases of maltreatment and/or verbal abuse among those who were repatriated. Most of the repatriated workers were unauthorized migrants. They reached Lebanon through what is known as "third country hiring" – from the Philippines, the workers go to Dubai, UAE, from where they are deployed to Lebanon. OWWA established two evacuation centers in Beirut, one in the shelter and another one in a Catholic Church. From Beirut, POLO took the workers to Damascus, Syria, from where they boarded a plane to Manila. During the global financial crisis which started in 2008, domestic workers were less affected compared to industry-based workers (particularly those from Taiwan and Dubai, UAE to some extent). OWWA gave out loans to those who were affected by the crisis – part of the package of assistance included recipients having to undergo training on how to start a business. The assistance consisted of Php10000 for training and Php40000 for the purchase of raw materials for the envisaged business.

For workers in distress, OWWA offers housing and counseling. OWWA's halfway house was started in 1993. While they are in the shelter, residents are provided with free food, shelter and toiletries. Workers

¹⁹ Vice President and presidential adviser on OFWS' concerns Jejomar Binay called on the congressional oversight committee to suspend the implementation of the mandatory insurance in view of the concerns raised by different stakeholders. For one, recruitment agencies said that the required annual premium of US\$72 is too high; they also claim that some foreign employers provide insurance coverage for workers (Murcia, 29 November 2010). NGOs are concerned that the cost will be passed on to workers.

can stay in the shelter from three to seven days. They may stay beyond seven days if OWWA cannot trace their relatives, or if it has not collected the transportation allowance from the recruitment agency, if the worker needs medical attention, or the worker has claims from the agency. Once the worker leaves the halfway house, they are endorsed to the region. OWWA works with other organizations in the provision of services. For example, for counseling, OWWA taps the expertise of UGAT; where UGAT has no networks, OWWA cooperates with the Department of Social Welfare and Development. If the distressed worker has a medical problem, the worker is referred to a hospital with which OWWA has a tie-up. According to OWWA key informants, OWWA extends assistance to workers in distress, whether they are legal or unauthorized. This practice has invited comments from some sectors (including some OWWA members) who see the government's repatriation assistance to legal and unauthorized workers alike as condoning the activities of illegal recruiters.

Distressed Workers' Voices

The seven participants in the FGD ran away from their employers and sought refuge in the shelters of the Philippine Embassy. One domestic worker ran away from her employer who wanted to "rent" (her term) her out to another household – a household of 10 members, including a baby, living in a three-storey house. According to her, her first employer will charge the second employer SR3000 (about Php34,962.30), but her actual salary will only be SR700 (about Php8,157.87). The others ran away because they had not been paid their salaries, were overworked, or were physically abused. It was difficult for them to contact other Filipinos or the embassy because they could not use the telephone or have a cellphone. Also, they did not know the address of their employer, so that even if they will ask to be rescued, they could not specify their location. One participant shared that she did not know the time or day because there was no calendar or clock in the house where she worked. She was able to approximate the time from the calls for prayer. The returnee from Malaysia was the only one who did not have a problem with her work or employer. Her case was different. She was brought to Malaysia by her recruiter without going through POEA. She considered herself fortunate because she had a very good employer and she was able to work in Malaysia for two years without encountering any work problems. However, in view of the crackdown against the employment of unauthorized migrants in Malaysia, her employer thought it would be best for her to seek help from the Philippine Embassy.

At least three of the participants experienced contract substitution or reprocessing (popularly known as "repro"). C2's contract stated that she was supposed to work as a cleaner, F2's contract was for a lab technician, while B2 was supposed to be a chicken griller – all three were actually employed as domestic workers.

The participants who were repatriated from Saudi Arabia considered themselves fortunate that they were able to escape and reach the shelter. They confirmed that the taxi ride to the embassy is risky. B2 timed her escape early in the morning because otherwise she will be under the surveillance of the other members of the household. Since she had worked in Kuwait before, she has some basic knowledge of Arabic. On the way to the embassy, the taxi driver made inappropriate comments, which she was able to parry. Another participant was able to find a clinic where there was a Filipino doctor, who helped her get into a taxi to reach the embassy.

Except for the shelter in Riyadh, Saudi Arabia, the shelters in Qatar and Malaysia were considered very helpful by the participants. During their stay in the shelters, there were more than 90 workers in the shelter in Qatar, about 50 in Malaysia, and about 170 in Riyadh. Aside from adults, there were also children in the shelters. In the Riyadh shelter, a participant alleged that it rejects TNTs (Filipino slang for unauthorized migrants) and leaves them unassisted, food and water are lacking, and relief goods that are intended for the shelter residents do not reach the intended beneficiaries. The same participant further alleged that the embassy staff are not thorough in the documentation of Filipinos seeking assistance. She reported that she knew of a Filipino who went to the embassy to complain about being physically abused by her employer – the embassy staff only took pictures of the victim but did not require her to go through a medical exam. Those who came from Riyadh urged that the operations of the shelter there should be monitored.

Although they encountered difficulties when they were abroad, they were thankful that they made a safe passage back to the Philippines. However, all of them had concerns about what awaits them in the Philippines. One of them expressed with resignation that it was unlikely for her to find a job because she was overaged. Another participant remarked that unless one has connections, it would be difficult to find a job. B2, a single mother with two children, aspired to have any job as long as it is permanent. Considering the difficulties of finding employment in the Philippines, the participants were interested to work abroad again in the hopes of finding better conditions next time. Thus, one of the questions which they asked us was whether they can apply for a Philippine passport.²⁰

3. CONCLUSIONS

The foregoing discussion highlighted significant gaps in migrant workers' knowledge and understanding of government regulations. Based on the survey of domestic workers prior to migration, many departing migrant workers were not aware of basic work rights and government regulations, particularly those concerning the HSW reform package. Considering that more than half were ever-migrants, the fairly low level of awareness on government regulations suggests the need to improve information campaigns. Also, considering that the interviews were conducted after completing PDOS, the information gap implies one of two things – either the topics were not covered in PDOS or the information did not register.

A sizable percentage of domestic workers showed some tendency to let their employers make decisions about their work conditions, in part because of lack of information about decent work conditions. Knowledge about working hours, day off, salary, and the right to hold one's passport, among others, will provide them with confidence to claim their basic rights. Knowing the right information is crucial to workers' empowerment, particularly because they will have to engage with recruiters, employers and authorities in the course of the migration process. Of course, knowing the right information does not guarantee smooth sailing for migrant workers – but not having the right information will disadvantage them further.

The survey findings also indicate the violation of many government regulations. Most respondents paid a placement fee, a significant number will have salary deductions, few will receive US\$400 (the exceptions

²⁰ We relayed to them the response of the Department of Foreign Affairs – they may apply for a new passport, but they will provide details of the circumstances surrounding their old passport. They were issued travel documents when they returned to the Philippines.

are those who will work in Hong Kong, Taiwan, Italy and Israel), and even before leaving for their onsite assignments, many already knew that they will not have a regular day off.

It is clear from the survey that if respondents had a choice, they would have wanted to work at another job. Many of them considered domestic work because they were not required to have a cash outlay or they were not qualified for another job or it was the only job that was available. According to them, if they could earn between Php10000 and Php20000 in the Philippines, this salary level would entice them to remain in the country.

Findings from the onsite phase of the study demonstrated that the best intentions and best efforts of the country of origin will have limited impact on the protection of Filipino domestic workers without the cooperation of the destination country. In Singapore, the major issue has been and still is the divergent position of the Singaporean government and the Philippine government about the importance of POEA procedures. Many Filipino domestic workers in Singapore are unauthorized from the Philippine government perspective because the workers did not go through POEA. Indeed, many of the workers who ended up in the shelters were those who left the country without a work permit and ended up being burdened with salary deductions and no days off. The need for bilateral cooperation in the area of worker protection in Singapore should be pursued. This will be a challenge though because of Singapore's laissez faire approach and reluctance to regulate the activities of employment agencies. The Philippine government, through the Philippine Embassy, also needs to improve its communication lines with the OFW community. The research participants the study encountered in Singapore held negative views about the Philippine Embassy; many were ill informed about the POEA process and the fees for securing a work permit. The challenge is how to reach and provide post-arrival orientation to newly arrived domestic workers who are not allowed to have any day off.

Finally, the issue of return migration, particularly the return of distressed workers, is a recurrent problem and a painful reminder of the risks of domestic work, which also affect those who are legally deployed. In fact, the problems encountered by legally deployed workers point to loopholes in the deployment system and the utter lack of relevance of the HSW reform package. The needs of distressed workers following repatriation must also be considered in the formulation of programs and services of the National Reintegration Center for OFWs.

PART III: RECOMMENDATIONS

The Philippine government has developed a plethora of measures to strengthen the protective mechanisms of OFWs, especially domestic workers. The question of whether these various initiatives to regulate – and hence protect – migrant domestic workers truly protect workers cannot be answered by an unequivocal yes or no. Among others, the study has shown that domestic migration seems to bring to the fore the tension between deployment and protection. The unceasing demand for domestic workers in the global labor market presents an opportunity that is difficult to resist by different stakeholders – more deployment means more remittances for the government, more revenues for the migration industry, livelihood for households, and an occupation that is easily accessible to women migrants. When protection conflicts with deployment, the perceived benefits of deployment easily leads to neglecting the preoccupation for protection.

Findings of the study suggest that the 2006 HSW reform package, the most recent move to institute reforms to protect domestic workers, did not work as intended. The unstated goal of reducing domestic worker migration did have the immediate impact of reducing the deployment of domestic workers. But this was very short-lived; it was evident only in 2007 and 2008. By 2009, the numbers were on the rise again. Also, the unstated goal to reduce the deployment of domestic workers to the Middle East did not happen. Deployment data for the Middle East indicate a noticeable drop between 2006 and 2007, but thereafter, the numbers resumed their upward climb. The decline in domestic worker deployment has been compensated by increased deployment of service workers (suggesting some reclassification of workers' occupation). From the survey, FGDs and KI interviews, it is clear that the no placement fee rule and the US\$400 monthly salary are not implemented. Considering the gross disregard and violation of these provisions, the increased deployment of domestic workers could not be due to increased compliance with the reforms. More likely, the resurgence in deployment may suggest that the different players have found ways of how to get around the strict provisions. As cited earlier, recruitment agencies, for example, may resort to "repro" or the agency and worker may agree to adjust the terms for their own version of a "win-win" solution – the recruitment agency or employer recruits a needed worker and the worker secures employment. Additionally, migrants' lack of awareness about the reform package and basic information about decent work conditions predispose them to rely solely on information provided by agencies or their employers. Despite its poor enforcement record, the HSW reform package continues to be offered as a policy response to promote the protection of domestic workers (e.g., DOLE's 22-point agenda). This charade cannot continue. The government needs to address what to do with the HSW reform package and the bigger question of domestic worker migration. Such exercise should examine the reason behind the migration of Filipino domestic workers. The willingness of Filipino workers to engage in domestic work abroad at a wage which is not much higher than the minimum wage in the Philippines either indicates that the local economy is severely incapable of providing even minimum wage occupations at home or that workers are attracted by other factors in seeking employment abroad. The first motivation should lead to a serious rethinking of an economy which is posting 6-7 percent GDP but is not generating sufficient jobs. The second motivation should lead to the conclusion that increasing the minimum wage will not curb labor migration. In other words, if wage is not what motivates domestic workers to go abroad, the US\$400 minimum monthly salary will not achieve its objective of discouraging overseas employment.

Following are the key recommendations based on findings and insights from the study:

- Information programs on migration must be improved to promote awareness and understanding of basic policies, rights and decent work conditions. At the point of origin, the pre-departure information programs, including the PDOS, must be strengthened. More mass media campaigns are also needed to reach a broader audience, including potential migrants who may not go through the legal channels.
- Migrant workers' education program must be reinforced with post-arrival orientation programs in the destination countries. POLOs can tap the cooperation of migrants' associations and local institutions as partners in developing and implementing these programs.
- Reintegration services to distressed migrant domestic workers need to be expanded. Among others, OWWA can establish assistance desks in more terminals. Information on services and programs, particularly those that are available in migrants' home provinces, would be useful. Follow-up and monitoring of repatriated workers is lacking. Partnership with local governments and local institutions will be crucial in this regard.
- An important step forward is a review of the HSW reform package in dialogue and consultation with the different stakeholders. This will be challenging considering the divergent positions of stakeholders: the government aims to professionalize domestic work, civil society prioritizes the protection of workers, the private sector is interested in increasing deployment, and aspiring migrant workers are keen in securing jobs. Recent developments, notably, the implications of RA 10022, must be included in the assessment. Although it will be difficult to reach a consensus, the dialogue and consultation will be helpful in reaching a decision about the reform package.
- Particularly for the government, it must pursue a clear and coherent policy concerning the deployment of domestic workers. Should the government pursue protection of domestic workers, this will entail actions such as, improving skills and qualifications of domestic workers, cooperating with other origin countries to increase their leverage in relation to destination countries, and negotiating with countries of destination to ensure decent work conditions for Filipino domestic workers. Should the government decide to go for more deployment of domestic workers, it will have to relinquish its regulatory functions and entrust the negotiation between the worker and the employer. A third policy option is to phase out the deployment of domestic workers.

REFERENCES

Agunias, Dovelyn Rannveig

2008 "Managing Temporary Migration: Lessons from the Philippine Model," *Insight*, October. Washington, DC: Migration Policy Institute.

Agunias, Dovelyn Rannveig and Neil G. Ruiz

2007 "Protecting Overseas Workers: Lessons and Cautions from the Philippines," *Insight*, September. Washington, DC: Migration Policy Institute.

Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People (ACMI)

2009 "ACMI 2009 Annual Report." Singapore.

2008 *Dignity at Home: A Guide for Catholic Employers of Foreign Domestic Helpers*. Singapore: ACMI in partnership with Caritas Singapore Community Council.

Arnado, Janet M.

2010 "Performances across Time and Space: Drama in the Global households of Filipina Transmigrant Workers," *International Migration*, 48(6):132-154.

Asis, Maruja MB

2010 "The Global Financial Crisis and International Migration in the Philippines." Paper prepared for MISA Project Phase 2 and presented at the ILO/SMC Conference on Assessing the Impact of the Global Economic Crisis on International Migration in Asia: Findings from the MISA Project, Ortigas Center, Pasig City, Philippines, 6 May 2010. Available at http://smc.org.ph/misa/uploads/country_reports/1285920115.pdf

2008a "The Social Dimensions of International Migration in the Philippines." In *Moving Out, Back and Up: International Migration and Development Prospects in the Philippines*. Edited by Maruja MB Asis and Fabio Baggio. Quezon City: Scalabrini Migration Center.

2008b "How International Migration Can Support Development: A Challenge for the Philippines." In *Migration and Development: Perspectives from the South*. Edited by Stephen Castles and Raul Delgado Wise. Geneva: International Organization for Migration.

2006 "The Philippines' Culture of Migration," Migration Information Source, January 2006. Available at <http://www.migrationinformation.org/Feature/display.cfm?ID=364>.

2005a "Caring for the World: Filipino Domestic Workers Gone Global." In *Asian Women as Transnational Domestic Workers*. Edited by Shirlena Huang, Brenda Yeoh and Noor Abdul Rahman. Singapore: Marshall Cavendish.

2005b *Preparing to Work Abroad: Filipino Migrants' Experiences Prior to Deployment*. Quezon City: Scalabrini Migration Center.

2002 "From the Life Stories of Filipino Women: Personal and Family Agendas in Migration," *Asian and Pacific Migration Journal*, 11(1):67-94.

2001 "The Return Migration of Filipino Women Migrants: Home, But Not for Good." In *Female Labour Migration in South-East Asia: Change and Continuity*. Edited by Christina Wille and Basia Passl. Bangkok: Asian Research Centre for Migration.

Asis, Maruja MB and Golda Myra Roma

2010 "Eyes on the Prize: Towards a Migration and Development Agenda in the Philippines." In *Brick by Brick: Building Cooperation between the Philippines and Migrants' Associations in Italy and Spain*. Edited by Fabio Baggio. Quezon City: Scalabrini Migration Center.

Constable, Nicole

2003 "Filipina Workers in Hong Kong: Household Rules and Relations." In *Global Women: Nannies, Maids and Sex Workers in the New Economy*. Edited by Barbara Ehrenreich and Arlie R. Hochschild. New York: Henry Holt and Company.

1997 *Maid to Order in Hong Kong: Stories of Filipina Workers*. Ithaca: Cornell University Press.

Battistella, Graziano

1995 "Philippine Overseas Labour: From Export to Management," *ASEAN Economic Bulletin*, 12(2):

Department of Labor and Employment (DOLE)

2010a "Labor and Employment Program Policy Reforms and Program Implementation for the First 100 Days of President Benigno S. Aquino III Administration 30 June -08 October 2010," <http://www.dole.gov.ph/fndr/bong/files/First%20100%20Days%20with%20additional%20reports%2014%20October%202010%2011am.pdf>, accessed on 2 January 2011.

2010b "Baldoz Mulls Extra Measures to Strengthen Protection of HSW." 12 July 2010. <http://www.dole.gov.ph/print.php?id=1243>, accessed on 30 December 2010.

Gonzales, Joaquin L. III

1998 *Philippine Labour Migration: Critical Dimensions of Public Policy*. Singapore: Institute of Southeast Asian Studies.

Jaymalin, Ma

2010 "More Pinoys Leaving to Work as Domestic Helpers Abroad," *Philippine Star*, 30 December, <http://www.philstar.com/Article.aspx?articleId=643766&publicationSubCategoryId=63>

Murcia, Alvin

2010 "Scrap Insurance for OFWs," *Journal Online*, <http://www.journal.com.ph/index.hp/national/23196-scrap-insurance-for-ofws.html>, accessed on 30 December 2010.

Oishi, Nana

2005 *Women in Motion: Globalization, State Policies and Labor Migration in Asia*. Stanford: Stanford University Press.

Parreñas, Rhacel S.

2000 "Migrant Filipina Domestic Workers and the International Division of Reproductive Work," *Gender and Society*, 14(4): 560-581.

Philippine Overseas Employment Administration

2009a 2009 Overseas Employment Statistics, http://www.poea.gov.ph/stats/2009_OFW%20Statistics.pdf, accessed on 24 August 2010.

Ueno, Kayoko

2009 "Strategies of Resistance among Filipina and Indonesian Domestic Workers in Singapore," *Asian and Pacific Migration Journal*, 18(4):497-518.

UNIFEM, TWC2 AND HOME

2009 "Day Off for Domestic Workers: Campaign Marks 1st Anniversary." Media Release, 30 April 2009.

Yeoh, Brenda, Shirlena Huang and Noor Abdul Rahman

2005 "Introduction: Asian Women as Transnational Domestic Workers." In *Asian Women as Transnational Domestic Workers*. Edited by Shirlena Huang, Brenda SA Yeoh and Noor Abdul Rahman. Singapore: Marshall and Cavendish.

TABLE 1
DEPLOYED LAND-BASED AND SEA-BASED OFWs AND CORRESPONDING REMITTANCES, 1975-2009

	Land-based	Sea-based	Total OFWs	Remittances (Million USD)
1975	12,501	23,534	36,035	103
1976	19,221	28,614	47,835	111
1977	36,676	33,699	70,375	213
1978	50,961	37,280	88,241	290.85
1979	92,519	44,818	137,337	364.74
1980	157,394	57,196	214,590	421.3
1981	210,936	55,307	266,243	545.87
1982	250,115	64,169	314,284	810.48
1983	380,263	53,594	434,207	944.45
1984*	300,378	50,604	350,982	658.89
1985	320,494	52,290	372,784	687.2
1986	323,517	54,697	378,214	680.44
1987	382,229	67,042	449,271	791.91
1988	385,117	85,913	471,030	856.81
1989	355,346	103,280	458,626	973.02
1990	334,883	111,212	446,095	1,181.07
1991	489,260	125,759	615,019	1,500.29
1992	549,655	136,806	686,461	2,202.38
1993	550,872	145,758	696,030	2,229.58
1994	564,031	154,376	718,407	2,630.11
1995	488,173	165,401	653,574	4,877.51
1996	484,653	175,469	660,122	4,306.64
1997	559,227	188,469	747,696	5,741.84
1998	638,343	193,300	831,643	7,367.99
1999	640,331	196,689	837,020	6,794.55
2000	643,304	198,324	841,628	6,050.45
2001	662,648	204,951	867,599	6,031.27
2002	682,315	209,593	891,908	6,886.16
2003	651,938	216,031	867,969	7,578.46
2004	704,586	229,002	933,588	8,550.37
2005	733,970	247,707	981,677	10,689.00
2006	788,070	274,497	1,062,567	12,761.31
2007	811,070	266,553	1,077,623	14,449.93
2008	974,399	261,614	1,236,013	16,426.85
2009	1,092,162	330,424	1,422,586	17,348.05

SOURCE: POEA

NOTE: * From 1975 to 1983 figures refer to processed, not to deployed workers

TABLE 2
DEPLOYED LANDBASED OVERSEAS FILIPINO WORKERS BY COUNTRY, NEW HIRES AND REHIRS: 1984- 2009

	Middle East	Asia	Europe	Americas	Africa	Trust Territories	Oceania		Total
1984	250,210	38,817	3,683	2,515	1,843	2,397	913		300,378
1985	253,867	52,838	4,067	3,744	1,977	3,048	953		320,494
1986	236,434	72,536	3,693	4,035	1,847	3,892	1,080		323,517
1987	272,038	90,434	5,643	5,614	1,856	5,373	1,271		382,229
1988	267,035	92,648	7,614	7,902	1,958	6,563	1,397		385,117
1989	241,081	86,196	7,830	9,962	1,741	7,289	1,247		355,346
1990	218,110	90,768	6,853	9,557	1,273	7,380	942		334,883
1991	302,825	132,592	13,156	13,373	1,964	11,409	1,374	12,567	489,260
1992	340,604	134,776	14,590	12,319	2,510	11,164	1,669	32,023	549,655
1993	302,975	168,205	13,423	12,228	2,425	8,890	1,507	41,219	550,872
1994	286,387	194,120	11,513	12,603	3,255	8,489	1,295	47,564	565,226
1995	234,310	166,774	10,279	13,469	3,615	7,039	1,398	51,737	488,621
1996	221,224	174,308	11,409	8,378	2,494	4,869	1,577	61,589	485,848
1997	221,047	235,129	12,626	7,058	3,517	5,280	1,970	72,600	559,227
1998	226,803	221,257	15,682	8,210	5,548	6,483	2,062	76,339	562,384
1999	287,076	299,521	30,707	9,045	4,936	6,622	2,424		640,331
2000	283,291	292,067	39,296	7,624	4,298	7,421	2,386		636,383
2001	297,533	285,051	43,019	10,679	4,943	6,823	2,061		650,109
2002	285,564	254,520	37,981	11,049	8,750	5,023	1,698	48,279	652,864
2003	285,564	255,287	37,981	11,049	8,750	5,023	1,698		605,352
2004	352,314	266,609	55,116	11,692	8,485	7,177	3,023		704,416
2005	394,419	259,209	52,146	14,886	9,103	7,596	2,866		740,225
2006	462,545	222,940	59,313	21,976	9,450	6,481	5,126		787,831
2007	487,878	218,983	45,613	28,019	13,126	6,674	10,691		810,984
2008	631,828	219,598	51,795	31,916	16,434	5,461	15,030		972,062
2009	669,042	260,995	47,409	31,146	18,967	5,134	13,297		1,045,990

TABLE 3
NUMBER OF DEPLOYED LANDBASED OVERSEAS FILIPINO WORKERS BY TOP TEN DESTINATIONS NEW HIRES AND REHIRES

	2003	2004	2005	2006	2007	2008	2009
Landbased Total	651,938	704,586	740,360	788,070	811,070	974,399	1,092,162
1. Saudi Arabia	169,011	188,107	194,350	223,459	238,419	275,933	291,419
2. United Arab Emirates	49,164	68,386	82,039	99,212	120,657	193,810	196,815
3. Hong Kong	84,633	87,254	98,693	96,929	59,169	78,345	100,142
4. Qatar	14,344	21,360	31,421	45,795	56,277	84,342	89,290
5. Singapore	24,737	22,198	28,152	28,369	49,431	41,678	54,421
6. Kuwait	26,225	36,591	40,306	47,917	37,080	38,903	45,900
7. Taiwan	45,186	45,059	46,737	39,025	37,136	38,546	33,751
8. Italy	12,175	23,329	21,267	25,413	17,855	22,623	23,159
9. Canada	4,006	4,453	3,629	6,468	12,380	17,399	17,344
10. Bahrain	6,406	8,257	9,968	11,736	9,898	13,079	15,001

SOURCE: POEA

TABLE 4
DEPLOYED OFWs BY GENDER, NEW HIRES: 1992-2009

	Male	Female	Not stated	Total
1992	128,380	132,213		260,593
1993	115,902	140,325		256,227
1994	103,953	155,066		259,019
1995	88,999	125,190		214,189
1996	94,408	111,653		206,061
1997	97,938	123,509		221,447
1998	86,195	133,523	6	219,724
1999	85,367	152,042	5	237,414
2000	70,427	174,768	7,835	253,030
2001	72,187	186,018	11,546	269,751
2002	77,850	197,441	10,837	286,128
2003	66,401	166,325	8,785	241,511
2004	72,355	209,372	86	281,812
2005	79,079	201,538	44	280,661
2006	123,668	184,416	38	308,122
2007	160,046	146,285	52	306,383
2008	174,930	163,324	12	338,266
2009	156,454	175,296	2	331,752

SOURCE: POEA

NOTE: * 2006-2008 includes workers who exited thru the Employment -based Immigration scheme (EB3).

TABLE 5
NUMBER OF DEPLOYED LANDBASED OVERSEAS FILIPINO WORKERS BY MAJOR OCCUPATIONAL CATEGORY, NEW HIRES: 1992-2009

Major Occupational Group	1992	1993	1994	1995	1996	1997	1998	1999	2000
Total	371929	374438	388900	307737	290523	303324	306406	340119	388489
Professional and Technical	72,881	65277	74,066	43,901	36,848	51,656	55,823	62,367	78,685
<i>Dancers</i>	44,032	37,438	47,686	20,381	15,495	25,637	26,715	29,586	35,539
<i>Singers</i>	3,654	2,950	4,120	2,120	2,350	4,464	8,327	14,315	23,967
<i>Nurses</i>	5,747	6,744	6,699	7,584	4,734	4,242	4,591	5,413	7,683
Administrative and Managerial	289	325	335	339	345	576	397	333	284
Clerical Workers	5,369	4180	3,748	3,441	3,314	3,619	3,072	2,554	2,367
Sales Workers	2,701	2541	2,207	1,990	1,965	2,641	2,596	2,244	2,083
Service Workers	82,267	89,222	90,713	81,028	84,824	76,661	80,696	84,415	91,206
<i>Domestic workers</i>	57,903	71,079	71,376	63,463	61,883	47,534	47,049	53,391	68,270
Agricultural Workers	2,023	1753	1,270	981	833	547	395	454	526
Production Workers	95,062	92929	86,672	82,508	77,918	85,733	76,288	79,559	57,807
Others	1		8	1	14	14	457	5,488	20,072

1/ - Combined total number of deployed OFWs - new hires with occupational disaggregation covers at least 95% of the total deployed land-based new hires.

Major Occupational Group	2001	2002	2003	2004	2005	2006	2007	2008	2009
Total	425030	434,923	241,511	281,762	284,285	308,122	306,383	338,266	331,752
Professional and Technical	97,517	99,688	78,956	94,147	63,941	41,258	43,225	49,649	47,886
<i>Dancers</i>	34,892	40,770	24,878	28,024	15,432	3,312	2,360	1,310	1,014
<i>Singers</i>	35,473	32,724	33,725	43,818	23,942	4,050	3,935	2,538	1,990
<i>Nurses</i>	13,536	11,867	8,968	8,611	7,094	13,525	9,178	11,495	13,014
Administrative and Managerial	389	374	387	565	490	817	1,139	1,516	1,290
Clerical Workers	3,375	4,012	3,965	5,323	5,538	7,912	13,662	18,101	15,403
Sales Workers	3,189	3,043	2,490	3,950	4,261	5,517	7,942	11,525	8,348
Service Workers	92,398	97,374	84,021	113,423	133,907	144,321	107,135	123,332	138,222
<i>Domestic workers</i>	71,378	63,434	46,507	62,818	82,467	91,412	47,878	50,082	71,557
Agricultural Workers	551	612	413	632	350	807	952	1,354	1,349
Production Workers	56,778	69,513	61,352	63,719	74,802	103,584	121,715	132,295	117,609
Others	15,554	11,512	9,927	3	996	3,906	10,613	494	1,645

SOURCE: POEA

TABLE 6
STOCK ESTIMATE OF OVERSEAS FILIPINOS: 2009

REGION / COUNTRY	PERMANENT	TEMPORARY	IRREGULAR	TOTAL
AFRICA	2,217	54,389	8,130	64,736
AMERICAS / TRUST TERRITORIES	3,162,843	253,700	166,336	3,582,879
ASIA, East & South	262,780	552,524	259,192	1,074,496
ASIA, West	5,594	2,294,602	115,700	2,415,896
EUROPE	312,361	309,914	100,152	722,427
OCEANIA	311,145	68,515	8,860	388,520
<i>Seabased worker</i>		330,424		
WORLD TOTAL	4,056,940	3,864,068	658,370	8,579,378
% share	47.3	45.0	7.7	
WORLD TOTAL 2000	2,551,549	2,991,125	1,840,448	
Growth from 2000	37.1	15.4	-179.5	

Source: SMC elaboration of CFO data

TABLE 7
DEPLOYED SERVICE AND DOMESTIC WORKERS, NEW HIRES: 1992-2009

	Service Workers	Domestic workers	Total New Hires	% of service to total	% of domestic workers to service workers
1992	82,267	57,903	260,593	31.6	70.4
1993	89,222	71,079	256,227	34.8	79.7
1994	90,713	71,376	259,019	35.0	78.7
1995	81,028	63,463	214,189	37.8	78.3
1996	84,824	61,883	206,061	41.2	73.0
1997	76,661	47,534	221,447	34.6	62.0
1998	80,696	47,049	219,724	36.7	58.3
1999	84,415	53,391	237,414	35.6	63.2
2000	91,206	68,270	253,030	36.0	74.9
2001	92,398	71,378	269,751	34.3	77.3
2002	97,374	63,434	286,128	34.0	65.1
2003	84,021	46,507	241,511	34.8	55.4
2004	113,423	62,818	281,812	40.2	55.4
2005	133,907	82,467	280,661	47.7	61.6
2006	144,321	91,412	308,122	46.8	63.3
2007	107,135	47,878	306,383	35.0	44.7
2008	123,332	50,082	338,266	36.5	40.6
2009	138,222	71,557	331,752	41.7	51.8

Source: POEA

TABLE 8
DEPLOYED DOMESTIC WORKERS, NEW HIRES, BY GENDER: 1992-2009

	Male	Female	%	Unreported	Total
1992	1,606	56,297	97.2		57,903
1993	1,405	69,674	98.0		71,079
1994	1,740	69,636	97.6		71,376
1995	1,356	62,107	97.9		63,463
1996	1,064	60,819	98.3		61,883
1997	745	46,789	98.4		47,534
1998	1,043	46,004	97.8	2	47,049
1999	783	52,605	98.5	3	53,391
2000	1,367	66,890	98.0	13	68,270
2001	1,319	70,052	98.2	7	71,378
2002	886	62,548	98.6		63,434
2003	647	45,858	98.6	2	46,507
2004	931	61,873	98.5	14	62,818
2005	726	81,725	99.1	16	82,467
2006	1,572	89,819	98.3	21	91,412
2007	2,959	44,904	93.8	15	47,878
2008	2,240	47,841	95.5	1	50,082
2009	1,888	69,669	97.4		71,557

SOURCE: POEA

TABLE 9
DEPLOYED DOMESTIC WORKERS AND RELATED HOUSEHOLD WORKERS, NEW HIRES, TO TOP COUNTRIES OF DEPLOYMENT

	1992	%	1995	%	2000	%	2005	%	2009	%
Total deployed DWs	57,903	100.0	63,463	100.0	68,270	100.0	82,467	100.0	71,557	100.0
BAHRAIN	3,583	6.2	1,155	1.8	142	0.2	763	0.9	1,095	1.5
HONG KONG	13,584	23.5	22,134	34.9	27,713	40.6	17,514	21.2	24,998	34.9
ITALY	142	0.2	1,458	2.3	1,740	2.5	68	0.1	1,793	2.5
LEBANON	570	1.0	1,115	1.8	1,583	2.3	11,735	14.2	1	0.0
KUWAIT	666	1.2	376	0.6	9,225	13.5	19,707	23.9	14,087	19.7
MALAYSIA	4,529	7.8	5,061	8.0	772	1.1	917	1.1	366	0.5
OMAN	1,548	2.7	568	0.9	803	1.2	1,419	1.7	1,098	1.5
QATAR		0.0	2,677	4.2	1,329	1.9	4,998	6.1	6,376	8.9
SAUDI ARABIA	17,517	30.3	14,520	22.9	10,660	15.6	9,227	11.2	954	1.3
SINGAPORE	2,773	4.8	1,365	2.2	1,518	2.2	2,429	2.9	1,405	2.0
TAIWAN	58	0.1	3,583	5.6	1,285	1.9	192	0.2	104	0.1
UNITED ARAB EMIRATES	6,035	10.4	4,795	7.6	5,422	7.9	9,113	11.1	10,558	14.8
Total deployed to top 10	51,005	88.1	58,807	92.7	62,192	91.1	78,082	94.7	62,835	87.8

SOURCE: SMC elaboration of POEA data

TABLE 10
BACKGROUND CHARACTERISTICS OF RESPONDENTS

Characteristic	Percentage	Characteristic	Percentage
Age		Education	
Below 25	11.8	Below high school	4.7
25-29	19.4	Completed high school	40.3
30-34	32.2	Some college	22.7
35-39	19.9	Completed college	21.8
40-44	9.5	Other (vocational)	10.4
45-49	5.7		-----
50 and up	1.4		99.9
	-----		(N=211)
Mean: 33.1 Median: 32.0 SD: 6.8	99.9	Economic activity in past 12 months	
	(N=211)	Not working	49.3
Marital status		<i>Homemaker</i>	31.3
Single	31.8	<i>Just returned from abroad</i>	18.0
Married	56.4	Unpaid family worker	4.7
Separated/widowed	11.8	Self-employed	15.6
	-----	Engaged in paid employment	30.3
	100.0		-----
	(N=211)		99.9
Number of children			(N=211)
0	26.5	Occupational background (before migration)	
1-2	45.1	Professional and related	4.7
3-4	23.7	Clerical and related	25.0
5 and more	4.7	Sales	18.8
	-----	Service	31.2
	100.0	<i>Household/domestic</i>	15.6
Mean: 1.7 SD: 1.5	(N=211)	<i>Other</i>	15.6
Household size		Agriculture and related	3.1
1-3	13.3	Production and related	17.2
4-6	57.6		-----
7-9	23.3		100.0
10 and more	5.7		(N=64)
	-----	Usual monthly household income	
	99.9	1. Less than Php5000	16.1
	(N=210)	2. 5000-9999	32.2
Religion		3. 10000-14999	18.5
Roman Catholic	78.8	4. 15000-19999	15.2
Other Christian	14.7	5. 20000-24999	8.5
Muslim	2.4	6. 25000-29999	2.4
Other religion	6.2	7. 30000 and more	6.6
	-----	8. Other	0.5
	100.1		-----
	(N=211)		100.0
Province of origin			(N=211)
Pampanga	8.6	Is monthly household income adequate?	
Metro Manila	7.6	Not enough	65.4
Pangasinan	6.2	Just enough	34.6
Batangas	4.8	More than enough	---
Cagayan	4.8		-----
Isabela	4.3		100.0
Tarlac	4.3		(N=211)
Cavite	3.8		
Nueva Ecija	3.8		
S. Cotabato	3.3		
Zamboanga del Sur	3.3		
<i>Subtotal of top 11 provinces</i>	54.8		
<i>Other 39 provinces</i>	45.2		

	100.0		
	(N=210)		

TABLE 11
MIGRATION BACKGROUND OF RESPONDENTS

Variable	Percentage	Variable	Percentage
First time to leave for overseas employment?		Top 3 migration information sought out	
Yes	45.5	1. Info on how to apply	39.5
No	54.5	2. Checking info on agencies with POEA	22.4
	-----	3. Looking for recruitment agencies	14.1
	100.0		-----
	(N=211)		76.0
			(N=211)
Last foreign country worked in (top 5)		Intended country of destination	
1. Hong Kong SAR	13.9	1. UAE	14.2
2. Kuwait	12.2	2. Qatar	12.3
3. Saudi Arabia	11.3	3. Hong Kong SAR	11.8
4. Singapore	10.4		
5. Taiwan	10.4	4. Kuwait	10.4
6. UAE	10.4		
	-----	5. Taiwan	10.0
	68.6	6. Singapore	8.5
	(N=115)	7.5 Israel	7.1
		7.5 Italy	7.1
Number of years ever worked abroad		9. Malaysia	6.6
Less than a year	9.6	10. Saudi Arabia	4.7
1-2 years	30.4	11. Bahrain	3.8
3-4 years	20.0		
5-6 years	17.4	12. Oman	2.4
7-8 years	9.5	13. Macau SAR	0.9
9-10 years	8.7		
More than 10 years	4.5		-----
	-----		99.8
	100.1		(N=211)
	(N=115)	Has kin/friends in intended country of destination?	
		Yes	67.3
Primary decision-maker		No	32.7
Mostly R	74.4		-----
R and family	24.2		100.0
Mostly family	1.4		(N=211)
	-----	Expected date of departure	
	100.0	Within 1-2 weeks	22.9
	(N=211)	Within 3-4 weeks	9.5
		Don't know/no definite date	67.6

			100.0
			(N=210)

TABLE 12
FACTORS RELATING TO THE APPLICATION PROCESS

Variable	Percentage	Variable	Percentage
Number of times filed an application (among first-timers)		Reason for choosing domestic work overseas	
Once	62.8	1. No placement fee	28.9
Twice	25.5	2.5 Not qualified for other jobs	23.2
Thrice and more	11.7	2.5 It's the only job available to R	23.2
	-----	4. Easy to leave the country as domestic worker	16.1
	100.0	5. Heard about good situation of domestic workers abroad	5.7
	(N=115)	6. Other	2.8
Ideal overseas job			-----
Professional	12.3		100.0
Clerical	13.3		(N=161)
Sales	11.3	% who went through recruitment agency	91.5
Service	49.3		(N=211)
<i>Domestic work</i>	28.1	Reason for choosing agency	
<i>Other service</i>	21.2	Recommended by someone	57.3
Agriculture	1.0	Saw ads of agency on TV, POEA, job fairs	24.5
Production	8.9	Chosen by employer, foreign agency or broker	6.8
Other (any job, course-related)	3.9	Good reputation of agency	3.6
	-----	Other	7.8
	100.0		-----
	(N=203)		100
Ideal country of work			(N=192)
Philippines	22.6	Total expenses, application-related costs	
Foreign country	77.4	0. None	--
	-----	1. Under Php5000	7.1
	100.0	2. 5000-9999	21.3
	(N=209)	3. 10000-19999	23.7
Ideal foreign country of work		4. 20000-39999	24.2
1. Canada	21.7	5. 40000-59999	12.3
2. Taiwan	9.3	6. 60000-79999	4.7
3. Hong Kong SAR	8.7	7. 80000 and more	4.3
4.5 Italy	8.1	8. Other	2.4
4.5 USA	8.1		-----
6. UAE	7.5		100.0
7. Singapore	6.2		(N=211)
8. Other country	30.4	Took out a loan?	
	-----	Yes	66.4
	100.0	No (inc costs assumed by family member, friend or employer)	33.2
	(N=161)	Other	0.5

			100.0
			(N=211)

TABLE 13
ASSESSMENT OF COMPLETING REQUIREMENTS

Requirement	Easy	Just Fine	Difficult
Securing a passport	41.0	23.8	35.3
Medical exam	34.0	39.2	26.8
Job training	22.2	44.3	33.6
Cultural/language training	18.0	38.5	43.4
Placement fee	8.2	29.6	59.1
PDOS	43.9	54.6	1.5
Paying OWWA membership	35.5	48.4	6.5
Paying SSS	50.4	40.7	8.9
Paying PhilHealth	41.0	51.6	3.3

TABLE 14
ASSESSMENT OF MIGRATION-RELATED AGENCIES

Agency	Satisfied	Just fine	Dissatisfied
DFA	25.0	64.9	10.1
POEA	27.0	70.6	2.4
OWWA	37.4	61.7	0.9
Recruitment agency	21.9	66.1	12.0
Job training provider	19.1	71.3	9.6
Cultural/language provider	28.1	67.5	4.4
PDOS provider	47.5	51.5	1.0

TABLE 15
UNDERSTANDING OF THE TERMS OF CONTRACT

Terms of the contract re:	Percentage
Salary	
Below Php10000	18.0
10000-14999	25.0
15000-19999	20.0
<i>Below 17000</i>	4.0
17000-17999	13.5
<i>18000-19999</i>	2.5
20000-24999	23.5
25000 and up	13.5

	100.0
	(N=200)
Working hours (limited to those who had an idea about their working hours)	
Less than 8 hours	2.4
8 hours	23.0
More than 8 hours	16.7
No definite time, depends on the employer	40.7

	100.0
	(N=209)
No. of days off per week	
No day off	27.5
1	43.6
2	6.6
Less than once a week	0.9
Don't know, depends on the employer	21.3

	99.9
	(N=211)
Can keep cellphone?	
Yes	36.2
No	27.6
Don't know, not in contract, up to employer	36.2

	100.0
	(N=210)
Can keep passport?	
Yes	28.5
No	40.6
Don't know, not in contract, up to employer	30.9

	100.0
	(N=207)

ANNEX 4
List of Key Informants

1. Ms. Vivian Tornea, Director IV, Policy and Program Development, OWWA
2. Ms. Ma. Elvira Ador, Chief, Planning and Program, OWWA
3. Ms. Cynthia Lamban, Chief, Repatriation Assistance Division, OWWA
4. Mr. Allan Ignacio, Director II and OIC, Overseas Operations Coordination Services, OWWA
5. Mr. Eduardo Bellido, Chief, Advocacy and Social Marketing, OWWA
6. Ms. Mona Lisa Samson, In-Charge, OFW Halfway House, OWWA
7. Ms. Ma. Lourdes Reyes, Director II and OIC, Fund and Investment Management, OWWA
8. Ms. Gemma Dio, Chief, Blas F. Ople Development Center, OWWA
9. Mr. Hans Leo Cacdac, Undersecretary, DOLE (former Deputy Administrator, POEA)
10. Mr Victor Fernandez and PASEI members, PASEI
11. Mr. Luther Calderon, President, Kabalikat ng Migranteng Pillipino Inc (KAMPI)
12. Engineer Geraldine Espinosa, Education Program and OIC, Kaibigan ng OCWs, Inc.
13. Ms. Bridget Lew Tan, Founder-President, Humanitarian Organization for Migration Economics, Singapore
14. Mr. Jolovan Wham, Executive Director, Humanitarian Organization for Migration Economics, Singapore
15. Dr. Noorashikin Abdul Rahman, Transient Workers Count 2, Singapore
16. Atty. Rodolfo M. Sabulao, Labor Attaché, Embassy of the Philippines-Singapore
17. Mr. Jed Martin Llona, Third Secretary and Vice Consul, Embassy of the Philippines-Singapore
18. Key informant, NGO, Singapore
19. Key informant, Filipino Community Leader, Singapore