



## ASOSIASI BURUH MIGRAN INDONESIA (ATKI)

*(Association of Indonesian Migrant Workers)*

c/o APMM, G/F., No. 2 Jordan Road, Kowloon, Hong Kong SAR

Tel. (852) 2723-7536 Fax. (852) 2735-4559 Email: atkihongkong@gmail.com

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### On working hours for migrant domestic workers

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Hong Kong government's failure to legislate foreign domestic working (FDWs) hours intensifies the discrimination being suffered by migrant domestic workers. It perpetuates forced labor, abuse and exploitation that endanger the lives of every FDW living at the mercy of their employer. Such failure of Hong Kong government disregards UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, that says; state parties "shall take measures not less favourable"<sup>1</sup> than those applied to the locals enjoy in employment that also includes other conditions of work, including overtime, hours of work, weekly rest and holidays with pay.

According to a study, 95% of migrant domestic workers in Hong Kong are into forced labor. They work from 12 hours to 16 hours a day and 24 hours on call, which the Hong Kong government does not allow to happen to their local workers. Even during within 24 hours days off and the scheduled days off, migrant domestic workers are forced to work and there are instances that employers call for so-called emergency situation that cut or cancel the scheduled days off of their domestic workers.

The long working hours and forced labor situation besetting foreign domestic workers in Hong Kong is rooted on the mandatory live-in condition. For as long as the Hong Kong government remains adamant in amending such policy to make a 'live-out arrangement' for foreign domestic workers an option, the problem of forced labor in Hong Kong will remain. With the live-in condition in place, it is all the more important that a definite working and rest hours are set to lessen if not prevent the prevalence of extreme long working hours commonly experienced by FDWs in Hong Kong.

Failure to legislate the regulated working hours for foreign domestic workers will only intensify the abuse, exploitation, discrimination and modern-day-slavery experience by migrant domestic workers.

Thus, we are calling the Hong Kong to legislate working hours that include foreign domestic workers. Specifically give migrant domestic workers 11 hours uninterrupted rest plus meal breaks in between two consecutive working days.

Thank you very much for listening to us.

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<sup>1</sup> *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (Adopted by General Assembly resolution 45/158 of 18 December 1990), *States Parties shall take measures not less favourable than those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity, Part IV, Article 70.*